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**Sent:** 04 April 2018 20:57  
**To:** localplan@york.gov.uk  
**Subject:** Representation to the CYC Local Plan  
**Attachments:** Sunderland CYC LP Publication Form 040418.pdf; Sunderland CYC LP Publication Rep 040418.pdf

Please find attached our comments submitted on behalf of Mr & Mrs Sunderland and Mr & Mrs Wilson.

We look forward to receiving acknowledgement in due course.

**Kathryn Jukes**  
**Directions Planning Consultancy Ltd**

*Please note we have moved to our new office at 23 Victoria Avenue, Harrogate, HG1 5RD.*

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 Before printing, think about the environment

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4<sup>th</sup> April 2018  
Sunderland CYC LP Publication Rep 040418.doc

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**Sent via email only**

Dear Sir / Madam

**CITY OF YORK LOCAL PLAN  
PUBLICATION DRAFT LOCAL PLAN  
SITE H39: LAND TO THE NORTH OF CHURCH LANE, ELVINGTON  
SITE 789: LAND TO THE WEST OF BECKSIDE, ELVINGTON**

This representation is submitted to the York Publication Draft Local Plan on behalf of [REDACTED] Mr & Mrs Sunderland and Mr & Mrs Wilson. Our comments relate to the Publication Draft Consultation documents, and the associated evidence base. Wherever possible, we have referred to the policies and paragraph numbers within the documents to which our comments relate.

We have previously written with regards to the merits of our clients' land 'Land West of Beckside, Elvington' (Previous Site Ref: 789) and in support of the Council's decision to include land 'North of Church Lane, Elvington' (Site Ref: H39) as a draft housing allocation. The extent of these sites is illustrated on the plan below.



## History of Representations

We have been involved in the promotion of both sites through the Local Plan process for some time, having submitted representations previously to the various iterations of the Plan which sought to secure a housing allocation.

In 1998, representations were submitted to the City of York Deposit Draft Local Plan relating to site H39. Following this, representations were made in March 2003 to the City of York Deposit Draft Local Plan – Third Set of Changes.

Directions Planning Consultancy became involved in the promotion of the site in 2012 when details of the site were submitted to the City of York Council Call for Sites process. The representation confirmed that the land was previously the subject of an Option Agreement with a housebuilder and that a new Option Agreement was being investigated.

In January 2014, further details relating to the site were provided to the City of York Council by email following a request by the Council for further information from landowners promoting strategic sites. Although this request for information did not relate to sites benefiting from a draft allocation (such as H39), it was considered sensible to provide further detail in support of the site. Further information was provided at the time in relation to access, which confirmed safe access and egress could be achieved, and a draft layout plan was submitted which illustrated how the site could realistically deliver 28 dwellings if the mix were to include 3, 4 and 5 bed units. The layout included a number of affordable dwellings. Further details were also provided in relation to a rising water main that crosses the site and can be accommodated within the layout of development of the site. It was also confirmed in the representation that drainage could be satisfactorily dealt with. The representation confirmed investigations had been undertaken relating to viability and there were no known issues which might render development of the site unviable. Initial marketing of the site had generated interest from housebuilders.

The further information provided in January 2014 also set out details of the representation made in July 2013 to the Council's Preferred Options consultation, which related to land to the west and north of the subject site (Land West of Beckside, Elvington (Site 789)). In July 2014, a further representation for this additional land was submitted to the City of York Local Plan Further Sites consultation which sought to address the Council's assessment that rejected an allocation of the land and also illustrated how the site would remain in the Green Belt.

In September 2016 a combined representation to the City of York Local Plan Preferred Sites consultation promoting both the Land off Church Lane, Elvington and the Land to the West of Beckside, Elvington was submitted. The representations submitted were in support of the Council's decision to retain allocation of site H39 (Land North of Church Lane, Elvington), but also contained an objection to the Council's decision to reject allocation of site 789 (Land West of Beckside, Elvington) and the continued inclusion of the site in the Green Belt. The representation sought to challenge the Council's calculation of housing numbers.

More recently, a combined representation was submitted in October 2017 to the Council's Pre-Publication Draft Local Plan which promoted site H39 and site 789. Comments were also made in respect of draft policies SS2 (The Role of York's Green Belt), H1 (Housing Allocations) and H5 (Gypsies and Travellers).

In addition to those policies which we previously made comments to we are also writing to respond this time to Policy SS1.

## **Comments in Relation to Policy SS1: Delivering Sustainable Growth for York – Not Positively Prepared, Not Effective, Not Justified, Not Consistent with National Policy**

Policy SS1 sets out how sufficient land to accommodate an annual provision of around 650 new jobs per annum and 867 new dwellings is to be identified on the Proposals Map through the allocation of land for development. We object to the annual targets identified on the basis that they will constrain the level of growth required to meet identified need. Also, the Policy attempts to extend the Plan period beyond 2033 to 2038 in respect of housing development.

Paragraph 156 of the NPPF makes clear that Local Plans should include strategic policies to deliver the homes and jobs needed in the area, whilst paragraph 157 states that it is crucial for Local Plans to plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework. On this basis, it is a fundamental requirement for the York Local Plan to establish the objective housing and employment need during the Plan period and then allocate sufficient land to meet the identified requirement. If the Plan satisfies these basic requirements then the Sustainability Appraisal will find that the overall impact of the Plan will be positive over the life of the Plan. However, the Sustainability Appraisal concludes that the preferred housing growth option chosen as the basis of the strategy for the Plan will have negative effects. This is because the preferred housing figures only meet the CLG baseline growth rather than objectively assessed housing need or that anticipated in Government consultations (MHCLG 2017).

The Plan is clearly unsound and is not in conformity with paragraphs 156 and 157 of the NPPF because it fails to deliver the homes required to meet identified need, and by constraining growth below required levels to address affordable housing then it does not plan positively for development. Furthermore, by setting a strategy based on a level of growth below that identified for the purpose of the objectively assessed housing need then the Plan does not conform with paragraph 47 of the NPPF either. Paragraph 47 makes clear how local planning authorities should plan positively for growth and ensure the Local Plan meets the full, objectively assessed needs for market and affordable housing.

There are no absolute constraints identified in the Local Plan or the evidence base that actually justify why the Local Planning Authority cannot base the strategy on the full objectively assessed housing need and identify more land for development. There is enough land outside of areas of flood risk (figure 3.3) and green infrastructure (figure 3.2) to accommodate development. In addition, land affected by local, national or international designations that might constrain development are limited to small pockets of nature conservation interest such as SSSIs and SINCS sites. There is also sufficient land outside that considered necessary to prevent settlements from merging and to protect the historic character of the City, which is one of the Council's concerns regarding the accommodation of growth as mentioned under paragraph 3.5 of the Publication Draft Local Plan and identified on Figure 3.1.

In terms of policy constraints, the Green Belt is an important consideration, but it is not an absolute constraint; only a policy constraint intended to prevent urban sprawl and protect the historic setting of the City of York. The emphasis of the Green Belt policy is in maintaining the six-mile radius across the City (or roughly a 2.5 mile band of countryside around the urban extent of the City), rather than the details of any boundary on the urban edge or around settlements. By allocating new settlements within the Green Belt then the Council has in fact illustrated the ability of the landscape to accommodate development without undermining the objective of Green Belt policy and also the objectives of protecting the historic character of the City.

Instead, the decision appears to be politically driven given how Members rejected Officer's recommendations and the advice of consultants to set the housing target at 867 per annum with a 10 percent buffer. The rejection of the recommendation was simply based on how Members did not feel that the higher annual target reflected historic build rates, but this position ignores how past completion rates have been constrained by the lack of an adopted Local Plan.

Basically, there appears to be no justified reason to have ignored the requirements of the NPPF, and so the Local Plan is unsound. Especially as over the life of the Plan the strategy will not deliver the necessary levels of development to meet housing and employment needs, which will affect the quality of life within the district and also the potential for economic growth. The Plan has simply not been prepared in a positive manner that will be effective in delivering a strategy that will meet the needs of the district and is consistent with the NPPF.

The housing targets are also expected to increase further following publication of the Government's White Paper 'Planning for the Right Homes in the Right Places'. This sets out a new methodology for calculating the five-year supply and would result in a 23% increase in housing targets for York City Council from 867dpa (baseline) to 1,070dpa. Paragraph 47 of the NPPF outlined how local authorities should boost significantly the

supply of housing, using their evidence base to ensure that the Local Plan meets the full objectively assessed needs for market and affordable housing in the housing market area. The revised methodology for calculating housing land supply is expected to apply to local plans submitted for examination after March 2018, and as such would be applicable in this instance. In order to ensure that housing need can be addressed in a sustainable manner, and address the identified need as noted at paragraph 47 of the NPPF, it will be necessary to allocate additional land for development. This will require a review of the Green Belt boundaries and allocation of further land. To not make an allowance for future development needs is storing up problems for the future that will frustrate the ability to meet development needs.

In respect of the Council's intention to extend the Plan period in relation to housing development beyond 2033 to 2038, we are most concerned that this approach is not in accordance with the NPPF and NPPG. Planning Practice Guidance (2014) clarifies (at 'Local Plans', paragraph 002) that local plans "should make clear what is intended to happen in the area over the life of the plan, where and when this will occur and how it will be delivered". Whilst the NPPF sets out how local plans should deliver the identified strategy over the plan period, the emphasis in the NPPF is very much on delivery over the plan period. The York Local Plan, however, intends to identify development to be delivered beyond the end of the Plan period, which raises the question as to whether the Plan period is actually the period in which the strategy is to be delivered, or whether the Plan period should be lengthened to incorporate the inadvertently extended delivery of allocated sites, and in particular housing sites. This is in respect of Green Belt policy and also the delivery of residential development.

In respect of residential development, the Plan period runs to 2033, but the Plan makes provision for development up to 2038 and even beyond. This is evident where:

- ST5: York Central (to accommodate between 1,700 and 2,500 dwellings of which between 200 and 1,000 will be delivered after the plan period between 2033 and 2038);
- ST14: Land west of Wigginton Road (to accommodate approximately 1,348 dwellings of which 148 will be delivered after the plan period between 2033 and 2038);
- ST15: Land to the West of Elvington Lane (to accommodate approximately 3,339 dwellings around 1,139 will be delivered after the plan period between 2033 and 2038);
- ST36: Imphal Barracks, Fulford Road (to accommodate approximately 769 dwellings, all dwellings are expected to be delivered after the plan period).

The figures noted above taken from the Publication Draft Local Plan do not relate to the Sustainability Statement which the Council has provided as background evidence. There is a clear discrepancy between the Publication Draft Local Plan and the Sustainability Statement. The Sustainability Statement shows how on site ST5 'York Central', 1,500 dwellings will be delivered after the Plan period between 2033 and 2038. The Publication Draft reduces this number to 1,000 after the Plan period, whilst boosting the overall housing capacity on this site from 1,700 to between 1,700 and 2,500. These changes are significant and we are concerned as it appears the Local Plan now expects development to be compressed into a shorter time frame than previously. We question whether this is actually achievable given the known constraints on this site.

The Sustainability Statement shows how site ST9 'Land North of Haxby' will deliver 93 dwellings beyond the Plan period. However, the Publication Draft illustrates how all of the dwellings anticipated to be delivered on this site (735) will now be delivered within the Plan period. It is not clear why this alteration has been made and York City Council has presented no justification for this.

What is of most concern is how the Council plans to allocate land for development beyond the period to which the strategy is intended to apply. Consequently, development is being allocated without a policy framework to identify whether it is appropriate or even delivers the principles of sustainable development given the lack of a Policy context for the development. For this reason we consider the Plan to be unsound as it has not been prepared in conformity with the NPPF, and the Plan will not be effective given development is being allocated without the necessary contextual strategy required to determine whether it is appropriate. It

also appears that no consideration has been given to the Government White Paper which would boost targets further.

There is no legitimate justification from deferring from a sound approach given the Plan period simply needs to be extended along with identification of land for other types of development by a further five years. Or else, the allocations identified for delivery after the Plan period need to be deleted.

In summary, the Policy is currently unsound as it is not positively prepared, not effective, not justified and not consistent with national policy. For it to be found sound then the housing target should be increased, and land needs to be safeguarded beyond 2033.

### **Comments in Relation to Policy SS2: The Role of York's Green Belt – Not Justified, Not Effective, Not Consistent with National Policy**

Policy SS2 is intended to provide the context for the detailed boundary identified on the Proposals Map, as well as make clear the intention to protect the open character of the countryside within the extent of the policy designation.

It also makes clear how the Council intends to allocate land for development to meet needs identified within the Plan for a period of five years beyond the end of the life expectancy of the Plan. This approach is of grave concern to us given it makes clear the Green Belt boundaries have little prospect of being 'permanent' and that the identification of land beyond the end of the Plan period is based on current identified development needs rather than needs identified for delivering any future strategy.

The Council's approach is unsound for a number of reasons, not least because the expectation is that the Green Belt boundaries will need to be reviewed only five years after the end of the Plan period and will, therefore, not be permanent in accordance with paragraph 79 of the NPPF. Also, the approach is unorthodox given the NPPF includes provisions under paragraph 85 for safeguarding land if a local planning authority finds land does not fulfil the purposes of Green Belt, but is not required to meet development needs within the Plan period.

At an earlier stage of the Local Plan process the Council did actually identify safeguarding land as the preferred approach for the Plan, which is evident from paragraph 2.3.12 of the Sustainability Appraisal (page 45). The Sustainability Appraisal makes clear how at the time the Council rejected the idea of setting boundaries for a mere 25 years in favour of looking longer term by identifying safeguarded land. However, the Council appear to have changed their mind at a subsequent stage, but in doing so the Plan is now considered to be unsound.

The Council suggests that the Green Belt boundaries will be in place for a period of 25 years on the basis that the Plan period starts in 2012 and enough land has been excluded to allow for development up to 2038. However, the reality is that we are currently only 20 years from 2038, which falls substantially short of 25 years. In any event, to be considered permanent Green Belt boundaries should endure for 30 years, which is the approach advocated by Inspectors and also established through Case Law. By setting such a short time frame the Plan fails to fulfil the requirements of the NPPF and specifically paragraphs 79 and 85 given how the boundaries will not be permanent and the Council cannot satisfy themselves that the boundaries will not need to be altered at the end of the Plan period.

This is where safeguarded land comes into play as paragraph 85 of the NPPF sets out how it allows local authorities the opportunity to identify longer-term development needs stretching well beyond the plan period. Given the NPPF emphasises establishing permanent boundaries where they should only be reviewed in exceptional circumstances then safeguarded land provides the means of ensuring boundaries can endure thereby removing the need or temptation to undertake regular reviews. The Council has, however, decided against this approach and instead opted for a much more short-term solution, which is contrary to National Policy or Guidance. This is because the NPPF provides a clear outline as to how Green Belt boundaries are to be defined and reviewed, and also the objective of setting boundaries.

There is simply no justification for such an approach especially as the current approach is likely to create the need to review the Green Belt boundaries in advance of 2033. This is because the Local Plan process takes time to complete and so even if enough land has been identified for five years beyond 2033, the reality is that the Local Plan review process will start before 2033. The Council cannot contest this point given how long it has taken to get to the present stage of the current Local Plan process and has not had an adopted Local Plan since 1954. This point only serves to reinforce how the Plan fails to identify boundaries that will endure beyond the end of the Plan period in accordance with paragraph 85 of the NPPF.

We are also concerned how the Green Belt boundaries currently identified in the Local Plan have been defined by development needs rather than whether the land serves the purposes of Green Belt policy.

The current approach relies heavily on projecting current development needs forward beyond the end of 2033 and through to 2038. However, projections over an extended period of time become increasingly unreliable, especially when related to a relatively small population size such as York. To suggest the Council has therefore released sufficient land from the Green Belt to meet development needs between 2033 and 2038 is therefore unlikely to prove to be true. It is simply impossible to guess what factors might influence population growth up to twenty years in advance, especially given how many national elections are to take place within this time frame and also with Brexit looming. This is why the NPPF and NPPG suggest a plan period should be limited to 15 years as this has proved to be a reasonable period of time in which projections have some chance of being useful. It also why the NPPF sets out how the Green Belt should be defined on matters that provide a true long-term buffer and should remove short term pressures to review boundaries.

Policy SS2 as drafted is simply unsound given there is no justification for allocating land beyond the Plan period as an alternative to safeguarding land for a longer-term period. Paragraph 85 of the NPPF advocates safeguarding of land, but there is no National Policy support for the Council's current approach. Especially given the boundaries are unlikely to endure on a permanent basis so the Plan is unlikely to be effective in protecting Green Belt. The Plan is therefore also unsound because it has not been prepared in accordance with the NPPF.

In summary, in its current form the Policy is unsound as it is not justified, not effective, and not consistent with national policy.

#### **Comments in Relation to Policy SS4: York Central – Not Justified, Not Positively Prepared**

The latest version of the Local Plan allocates under reference ST5 between 1,700 and 2,500 dwellings and 100,000m<sup>2</sup> of employment land on the York Central site under reference ST5. The amount of development allocated to this site has increased since the last version of the Local Plan as the Pre-Publication version allocated 1,500 dwellings and 61,000m<sup>2</sup> of employment land. How the additional development is to be achieved is questionable given the site is landlocked and limited in scale. Especially as the area measures 72 hectares but only has 35 hectares of developable land.

In terms of delivery, the Council has previously suggested development will be delivered over a 15 to 25-year timescale, which is why we are concerned as it appears the Local Plan now expects development to be compressed into a shorter time frame than previously. We question whether this is actually achievable given the known constraints.

It is of significant concern that the Local Plan relies so heavily on the delivery of York Central to achieve the development targets set out in the Plan. This is because the previously developed site is one of the largest brownfield sites in the country, but its most challenging issue to overcome is how it is mostly landlocked. Recent consultation (September 2017) identified on redevelopment of the site showed how access would need to be from either the north west or south west, where either option would need to destroy open space that is currently valued by the existing community. It is however understood that irrespective of the consultation purporting to identify a couple of options, access has already been decided upon given the Council purchased the site off Holgate Road to allow for the new access (Executive Board Agenda 15<sup>th</sup> December 2015).

The Council has been quoted in the Press as having said that the infrastructure requirements to unlock the site are £78million and that the site has a high level of abnormal costs due to its historic association with railways. In 2015 the area was designated by the Government as a Housing Zone and an Enterprise Zone to make it more attractive to businesses and unlock HCA funding, but as yet the Council is still only in the process of using a £10million budget to compulsorily purchase land to allow for redevelopment. To this end, one of the main occupiers at the moment is still without a new home as Unipart have not been able to secure a new site to allow the continuation of the business operation. To some extent this is due to the lack of land available within York because of Green Belt policy constraining the release of land for employment uses.

In summary, in its current form the Policy is unsound as it is not justified and not positively prepared.

### **Comments in Relation to Policy H1: Housing Allocations – Not Positively Prepared, Not Effective, Not Consistent with National Policy**

We previously raised concerns in respect of this Policy and our previous comments appear not to have been taken into account. The Policy largely remains similar to the previous Pre-Publication Draft aside from some alterations to housing numbers on two of the sites listed. The Policy sets out what the proposed housing allocations can cumulatively deliver. Over the Plan period, the housing requirements are expected to be delivered by a combination of allocations, (some of which are to be after the Plan period), windfall sites and extant planning permissions. Given that some of this growth is expected to be delivered outside of the Plan period it is not possible to make a direct comparison between the need and the target.

As we have stated in previous representations, the way in which the Plan notes housing delivery beyond the Plan period of 2033 is not in conformity with the NPPF. The NPPF only requires development to be identified over the Plan period in accordance with the strategy of the Plan. We therefore believe that the Plan is unsound because it intends to allocate land for development beyond the scope of the time frame in which planning policy is intended to apply.

Based on recent Government calculations referred to earlier in this representation, which relate to a proposed revised method of calculating housing land supply, the annual housing requirement for the City of York Council will increase from 867 dwellings per annum (baseline) up to 1,070 dwellings per annum – an increase of 23% over the housing targets set out in the current Draft Consultation. As the Local Plan is to be submitted for examination after March 2018, it is expected that this revised methodology will apply and as such additional land should be allocated for development and this will require a review of Green Belt boundaries. To not make an allowance for future development needs is storing up problems for the future that will frustrate the ability to meet development needs.

In summary, we consider that this Policy is unsound as it is not positively prepared, is not effective, and is not consistent with National Policy.

### **Comments in Relation to Allocation H39 under Policy H1**

We fully support the inclusion of site H39 in Draft Policy H1. The Policy confirms that site H39 is currently proposed to be allocated for housing and is estimated to be built in the short to medium term i.e. years 1-10 of the Local Plan, with a capacity of 32 dwellings.

We have previously highlighted the merits of site 789 (Land West of Beckside, Elvington) as a housing allocation. The previous representations made in respect of this site related to an area comprising approximately 5.7 ha of agricultural land. This Representation relates to a smaller area of land as shown on the enclosed plan, totalling approximately 1.6 ha. Based on the Council's estimated density for the area of 35 dph set out at Draft Policy H2, the site could potentially deliver approximately 56 dwellings. This is a significant figure.

Given the arguments set out earlier in this Representation, and the requirement for York City Council to comply with paragraph 47 of the NPPF, to use their evidence base (to ensure the Local Plan meets the full OAN), we consider the Plan in its current form is unsound. It does not allocate enough land to meet the identified need over the Plan period or take into account the need to boost supply further as a result of the

proposed new measures which seek to change how housing land supply is to be calculated. As a result, additional land needs to be allocated to ensure enough houses will be built. Consequently, sites such as 789 should be removed from the Green Belt and included in the list of draft housing allocations noted in Draft Policy H1.

### **Comments in Relation to Policy H5: Gypsies and Travellers – Not Justified**

We have previously objected to this Policy and the comments previously made appear not to have been taken into account.

We would suggest that the larger, more strategic allocations capable of delivering over 1500 dwellings would be more suited to accommodating gypsy pitches if the Council insists on the current approach, as these sites provide a scale of development that would support the needs of the Gypsy and Traveller community rather than simply secure more pitches in an ad-hoc fashion.

In summary, the Policy is not sound as we consider it is not justified in its current form and would welcome evidence from the Council which supports the Policy.

### **Next Steps**

It is disappointing that York City Council appears not to have taken on board any of the comments we made to the Pre-Publication Draft of the Local Plan. Indeed, the Publication Draft of the Local Plan on the whole is very similar to the previous iteration, with very limited changes being made. As a result, we are concerned whether the Council has actually reviewed *any* of the comments made as part of the last round of consultation. In its current form we have serious concerns in relation to the overall soundness of the Plan.

We would be happy to discuss our comments which relate to the policies contained within Publication Draft Plan and our specific comments made in respect of sites H39 and the southern portion of site 789.

Yours faithfully



**Kathryn Jukes BA (Hons) DipTP MRTPI**  
Director

Enc.

# 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)
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# 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)

No further 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.

Please see attached 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.**

Please see attached 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:

We would like the opportunity to discuss our comments in greater detail.

**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

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

28 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

[REDACTED]

---

**From:** Joanne Owen [REDACTED]  
**Sent:** 04 April 2018 21:03  
**To:** localplan@york.gov.uk  
**Subject:** Fwd: Local Plan 2018  
**Attachments:** Local Plan 2018 ST15.docx; ATT00001.htm; Additional information for ST15.docx; ATT00002.htm; Local Plan 2018 H39.docx; ATT00003.htm; Local Plan 2018 SP1.docx; ATT00004.htm

Please find below my responses to the local plan.

I do not currently have a printer and therefore have not been able to sign the document, therefore please accept this email as my signature.

Regards  
Joanne Owen

Sent from my iPhone

Begin forwarded message:

# 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

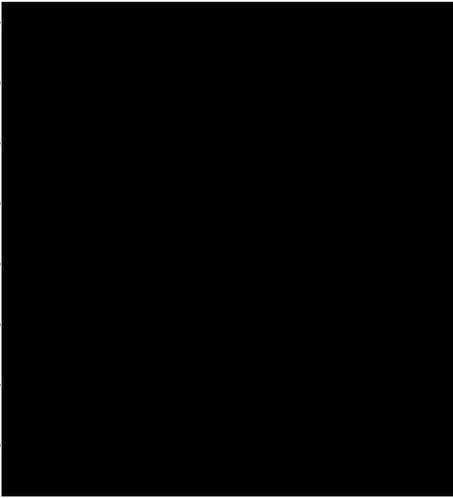
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Joanne	
Last Name	Owen	
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.

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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)

## 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.

H39

**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 Planning Inspector has previously determined that the land in which H39 would be built on sits within the Green Belt. This decision should remain.

The houses would create additional traffic in an area where the majority have young children who will play in the street. It is safe to assume each house has 2 cars, and will do at least 2 journeys a day. This would therefore increase the number of cars passing through becks by approximately 128 journeys a day. This could compromise the health and safety of children within 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.

*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.

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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.

# 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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Signature Joanne Owen (emailed response)

Date 4<sup>th</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

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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	Mrs	
First Name	Joanne	
Last Name	Owen	
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?

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- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
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## 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.

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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)

## What does 'Sound' mean?

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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.

SP1

**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.

Upon seeking permission to reside on the land at the Stables this was permitted on a temporary basis at which point the land would revert back to Green Belt. This decision was given by the Planning Inspector and the Council should abide by this ruling.

The entrance/exit to the Stables is situated on a bend onto the B1228. Although the speed limit has been reduced to 40mph, if large equipment is being transported to and from the land this can be a danger as they will be moving slowly and it could result in a road traffic accident.

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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# 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 Joanne Owen (emailed response)

Date 4<sup>th</sup> April 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	Joanne	
Last Name	Owen	
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

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.

**Safeguarded land is land that should be safeguarded from development. The proposed site is Green belt which should be preserved and not affect nature. A development of this scale will affect nature and ecology.**

**The size and scale of the proposed development is inappropriate especially considering the close proximity of the site to Elvington and Wheldrake. Elvington is a rural village and the proposals would expand the area by such an obscene amount. The development would be so close to Elvington that it would not longer feel like a rural village and will ultimately become part of suburbia. It is evident from the information disclosed that City of York Council are concerned about preserving historic York, however due consideration should also be given to preserving the surrounding areas of York and its villages.**

**Much of the rural settings around York have been diminished as many villages around York have thousands of inhabitants and have joined up with urban sprawl. Should City of York Council proceed with the proposal then it is likely that Elvington will also join up with urban sprawl and will no longer be a village in the true sense.**

**The airfield holds regular events which will be impacted by the proposal as it is then likely that residents in the new development will complain about the noise. It will also impact upon the air museum from a tourism perspective which is a strategic priority for York.**

**There are historical reasons for why the runway should be retained.**

**Please see separate sheet.**

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](tel:01904554145)

Signature Joanne Owen (emailed response)

Date 4<sup>th</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

Additional information for ST15. Joanne Owen, 6 Lorraine Avenue, Elvington

**The amount of traffic through Elvington would significantly increase which would lead to increased safety issues. There are already issues with HGVs travelling through the village and cars travelling at speed.**

**The infrastructure will not sustain the proposed development. The B1228 is already a busy road where traffic can be queuing at rush hour. The proposed development would significantly increase the number of cars on this road, causing congestion and road safety hazards. If it is proposed to build an access road from the A64, this would again cause traffic congestion on the A19 and Hull Road. The A19 is already congested in rush hour traffic and will become worse once the development at Germany Beck has been completed. Hull Road is also a main route into York where traffic is often at a standstill. These roads cannot sustain an increase in the number of cars that will be travelling down them as a result of the proposed 3,339 additional houses.**

**The proposal to build in excess of 3,000 houses would have a severe impact on the countryside**

**From:** [REDACTED]  
**Sent:** 04 April 2018 21:08  
**To:** localplan@york.gov.uk  
**Subject:** local plan consultation 2018  
**Attachments:** Comments\_form\_FINAL completed.docx

Please find attached a completed submission in consultation for the York Local Plan 2018

Lynne & Robert Clark

# 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.

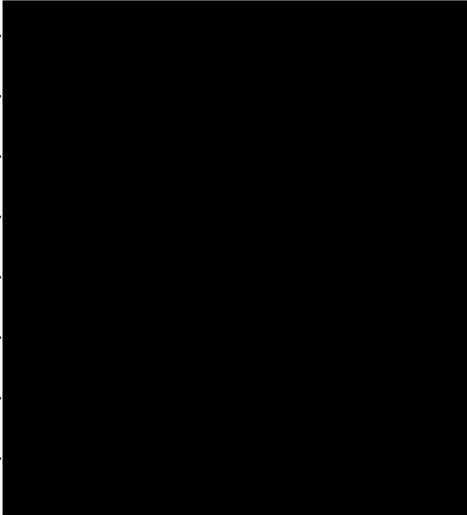
## Part A - Personal Details

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	Doctor	
First Name	Robert	
Last Name	Clark	
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		

# 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	Lynne	
Last Name	Clark	
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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**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 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)

We consider these questions unnecessarily obfuscatory. Our objection is to the soundness ('fitness for purpose', 'showing good judgement'). So the appearance of such questions – and the appearance of a necessity to answer – can only serve to distract. Thus we answer 'no' because we have not considered these issues rather than because we have considered them and found them lacking. Our answers are literally true; you may consider them irrelevant given our justification. Or, indeed, you may consider, as we do, that unnecessary obfuscation is to be deplored, and so alter your procedures in future.

## 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?**

***Draft Regulation 18 Consultation Transport Topic Paper; Consultation Policy T5***

(Complete any that apply)

Paragraph no.

see below

Policy Ref.

see below

Site Ref.

see below

**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 note: the poor initial formatting of your form makes input difficult and results thereof confusing. We have thus moved outwith your text boxes.)*

We refer to

**Draft Regulation 18 Consultation Transport Topic Paper;** and  
**Draft Regulation 18 Consultation Policy T5: Strategic Cycle and Pedestrian Network Links and Improvement.**

*(passim)*

We attach our submission on the *Local Plan Pre-publication Draft*, which detail our contention of the unsoundness of the plan at that stage. Our submission was made in time; we received no acknowledgement; no relevant changes were effected following this submission. So our submission, and the details it contains, still stands. As we said there, ‘... the draft Plan will remain inadequate even as an initial basis for discussion’ if the concerns we express are not dealt with prior to acceptance or, *a fortiori*, initiation.

Currently, we offer our opinion that the deficiencies we have outlined are likely to infect much of the rest of the plan, *mutatis mutandis*. ‘Unsoundness’, in short, in the sense of a lack of positive preparation, justification, effectiveness and consistency with national policy, is likely to permeate the plan – its unsoundness in the relatively specialised areas we focussed on is beyond doubt, for the reasons we adduce.

**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.**

(If you are suggesting that the plan is legally compliant or sound please write N/A)

In the light of the deficiencies and lack of care we outline in our submission, the only way to make the plan sound is a redrafting from the start. This is a general point regarding the whole plan, albeit that the areas we considered offer a relevant set of examples. In particular,

1. The *Transport Topic Paper* should, but does not, accept cycling and cycling infrastructure as an aspect of general transport planning in the light of social, health-related, environmental and allied concerns.
2. Policy T5 of the Local Plan consultation document in fact contains no planning objectives and no plan for implementation of what it says it intends.

In the light of these failings and to take account of the criticisms we make in our attached submission concerning methodology, we ask that City of York Council be required to redraft at least both

1. the *Transport Topic Paper* and consequent parts of the overall Plan, and
2. Policy T5: *Strategic Cycle and Pedestrian Network Links and Improvement*.

**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**, we 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 experience so far with this consultation and with earlier consultations on this topic does not incline us to the belief that submissions from ordinary citizens of York such as ourselves are taken with even the minimum of consideration democratic process requires. In short, we have no confidence that concerns such as ours will be taken into account, and we suspect consideration of written representations to be at best cursory.

**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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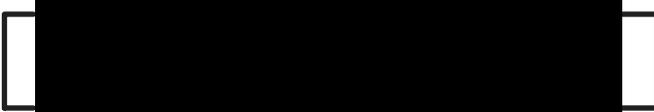
## Retention of Information

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Signature 

Date  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

**Submission follows: 5 extra pages** (not including this page)

# City of York Local Plan



CITY OF  
**YORK**  
COUNCIL

**Local Plan Pre-Publication draft  
(Regulation 18 Consultation, Sept 2017)  
Comments Form**

Responses on this form should only relate to the sites, policies and information set out in the Pre Publication draft Consultation documents. We will seek your views on the Publication Local Plan early in 2018. Comments made on previous stages of the Plan will be taken into account.

We will use the information you provide us with to inform the next stage of the Local Plan and a summary of your comments will be published. A full copy of your comments (excluding personal information) will also be placed on the Council's website. Any personal information provided will be kept in accordance with the Data Protection Act 1998. If the Council is asked an enquiry under the Freedom of Information Act or the Environmental Information Regulations then we will only disclose information we have been provided with in accordance with the relevant legislation.

- **All responses should be returned by midnight on Monday 30<sup>th</sup> October 2017 so that we can take your views into account.**
- **Please complete a separate form for each issue and/or site/s you are commenting upon.**

**Please complete all sections of the form in BLOCK CAPITALS.** It's important that you complete **section 3 consent**

SECTION 1: YOUR PERSONAL and CONTACT DETAILS	
Names	Dr R Clark and Mrs L Clark
Organisation <i>(if relevant)</i>	n/a
Representing <i>(if relevant)</i>	n/a
Address	[REDACTED]
	Postcode [REDACTED]
Telephone	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED] Date 29 October 2017

**SECTION 2: YOUR COMMENTS**

Site/Policy reference	1. Local Plan Pre Publication Draft Regulation 18 Consultation <i>Transport Topic Paper</i> 2. Local Plan Pre Publication Draft Regulation 18 Consultation Policy T5: <i>Strategic Cycle and Pedestrian Network Links and Improvement.</i>				
Page number (please specify which document e.g. main document or which supporting document when stating page number)	1. <i>Passim.</i> 2. P. 219 <i>ff.</i>				
Objections	X	Support		General Comments	X

**Comments**

**Please see attached sheets (three further pages in all).**

**SECTION 3: CONSENT – PLEASE COMPLETE**

<b>Please tick this box if you consent to the council using your information as stated above. We will be unable to use the information you give us without your consent.</b> [Redacted]	X (L Clark; consent given) X (R Clark; consent given)
I do give permission for the City of York Council to contact me with information on the further stages of the Local Plan production and other planning policy documents for York (Please tick) [Redacted]	X (L Clark; consent given) X (R Clark; consent given)

To find out more about what the Council does with your personal information, [www.york.gov.uk/privacy](http://www.york.gov.uk/privacy)

If you have any queries, please contact us:  
 Tel: (01904) 552255  
 E-mail: [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

Word of mouth (*etc.*)

Please return completed forms (no stamp required) to:  
 FREEPOST RTEG-TYYU-KLTZ  
 Local Plan  
 City of York Council  
 West Offices  
 Station Rise  
 York  
 YO1 6GA

Do you have any general comments on this consultation process?

The consultation documents are currently inadequate as a basis for discussion even as a first draft. (See body of comments.)

We offer this submission as ordinary non-partisan citizens and residents of York. We concentrate on an area of concern which is both

- General, involving, in particular, acute environmental issues, and
- Personal. Recently we have both become alarmed by inconveniences and, on occasion, clear physical dangers to ourselves as elderly cyclists around York. Moreover, one of us suffers from lung degeneration/breathing problems which tend to be exacerbated by poor air quality such as is caused, in particular, by vehicle emissions.

– We concentrate, then, on elements of the Plan concerned with cycling and infrastructure. (We expected something along the lines, say, of Oxford’s recent ‘*zero emissions zone*’ proposal, see

[https://www.oxford.gov.uk/news/article/553/city\\_and\\_county\\_councils\\_propose\\_historic\\_reduction\\_in\\_oxford\\_s\\_air\\_pollution\\_with\\_world\\_s\\_first\\_zero\\_emission\\_zone](https://www.oxford.gov.uk/news/article/553/city_and_county_councils_propose_historic_reduction_in_oxford_s_air_pollution_with_world_s_first_zero_emission_zone) . Such a proposal, it will be clear, has definite and positive implications for the provision of cycling infrastructure.)

We looked, first, at the *Transport Topic Paper*, part of the *Pre-Publication Draft* of the Plan, but were surprised to find this paper to be informed wholly and uniquely by an outdated transport model that fails even to mention cycling or cycling infrastructure. In fact the ‘traffic model’ used does not actually reflect *traffic* in York, but only *motorised* traffic. At the same time, it does not reflect transport (moving people and goods) but only motorised traffic (the flow of transport – measured in this case as number of motorised cars). Given the overarching aims of the Council to improve accessibility to goods and services for individuals, modelling work should focus on improving the transport of people (and goods), and not simply on the optimisation of motorised traffic flows.

There are examples of modelling frameworks that allow for the inclusion of different transport modes, for example the PTV suite (Visum for macroscopic modelling or Vissim for microscopic modelling, see <http://vision-traffic.ptvgroup.com/en-us/products/>). There are also modelling approaches involving cycling in the UK which look at how to set reasonable targets for cycling in a city. (The *Propensity to Cycle Tool*, development funded by DfT, EPSRC and ESRC, remains open-source: see <http://pct.bike/>).

To deliver the aims of the Council in improving accessibility of individuals, the tools that are selected must be appropriate to the task. (A good reference point for work in this area is available as guidance for sustainable urban mobility planning: see <http://www.eltis.org/guidelines/sump-guidelines>). A key part of this is setting goals for the urban mobility policy and defining an evaluation framework to follow up these goals. Traffic models – as is rightly pointed out in the *Transport Topic* of the draft Plan – can lead to a ‘predict and provide’ mentality, whereby models provide a prediction of what will happen in terms of motorised traffic, and traffic engineers then build the appropriate infrastructure to tackle the growth. Such a mentality leads to inadequate results. The starting point must instead be a consideration of the goals we have for the city transport system; the

development should then involve working back from there: ‘what needs to be done?’; ‘how do we follow this up?’; ... and so on.

It is true the model used may, indeed, be ‘fit for purpose in terms of its ability to replicate existing strategic traffic’, as the *Transport Topic Paper* has it. It is equally true, however, that an assessment of fitness that succeeds, as this choice of model does, only at the cost of reduced applicability, makes nugatory any such assessment of *overall* fitness for purpose. It is abundantly clear the model chosen fails this latter criterion.

In short, accepting such minimal standards as this model does, for a city such as York, might well be described simply but aptly as ‘fiddling while [York] burns’. There are other, and better, extant methodologies and tools for city transport planning – some of which we have referred to above – which we expect our planners to have considered. If they have not, they should do so without delay; if they have, we contend they owe us as citizens, and Council Members as our representatives, explanations of why they did not adopt a more thorough and appropriate *modus operandi*.

So, to reiterate, *no* consideration of cycling comes in the *Transport Topic* of the Draft Plan.

We turned our attention next to the full *Local Plan Pre Publication Regulation 18 Consultation* document, and its Policy T5: *Strategic Cycle and Pedestrian Network Links and Improvement*. Policy T5 is commendably brief, offering a list of thirteen headings, characterised as short-, medium-, and long-term, with the (in our view admirable) expressed intent of ‘encouraging modal shift away from private motor vehicle use to more active and sustainable modes of transport’. These thirteen headings may appear at first glance to be objectives, but they are in fact not objectives at all, simply suggested measures (and not very ambitious ones at that); but if the overarching aim is to encourage modal shift, then clear objectives need to be set (for example: ‘increase in number of cycling trips within City of York’).

When we tried to look further than the headings and statements of intent we were further disappointed. No details are apparent, so, in an attempt to flesh out the headings, we contacted *Planning & Environmental Management* at the Council for assistance (assistance which was promptly, efficiently and courteously offered). However, we discovered, nothing is actually *planned* in Policy T5, no matter the laudable intent expressed therein.

For instance, with reference to the *Haxby Road / Huntington Road Corridor*, which occurs as two of the thirteen headings mentioned above, in Phase 1 and Phase 2, we were told ‘... The exact details of the corridor improvement are yet to be determined, so neither the policy nor the proposals map contains any further information regarding the extent of phase 1 or phase 2, and whether the corridor improvements will be on-road, off-road (either segregated cycleway and footway or combined footway/cycle way) or mixture of both.’

In effect sections (ii) and (viii) of the thirteen headings – *faux* objectives, as we have seen – of Policy T5 of the Draft Plan amount, literally and precisely, to no more than a dotted blue line

drawn on a road map of York. We find this unacceptable in a document purporting to offer a plan for the future of our city.

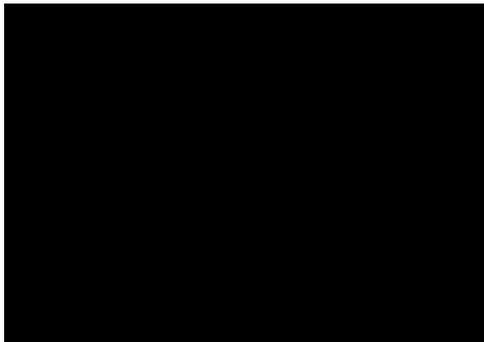
In summary,

1. The *Transport Topic Paper* should, but does not, accept cycling and cycling infrastructure as an aspect of general transport planning in the light of social, health-related, environmental and allied concerns.
2. Policy T5 of the Local Plan consultation document in fact contains no planning objectives and no plan for implementation of what it says it intends.

So, in the light of these failings and to take account of the criticisms we make above concerning methodology, we ask City of York Council to require a redrafting of both

1. the *Transport Topic Paper* and consequent parts of the overall Plan, and
2. Policy T5: *Strategic Cycle and Pedestrian Network Links and Improvement*.

Without such redrafting, the draft Plan will remain inadequate even as an initial basis for discussion.



[REDACTED]

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**From:** YBF Chair [REDACTED]  
**Sent:** 04 April 2018 21:15  
**To:** localplan@york.gov.uk  
**Cc:** Dave Merrett; Ron Healey; John Bibby; Andy D'Agorne  
**Subject:** Local Plan Submission from York Bus Forum  
**Attachments:** YBF Submission on Local Plan 2018.docx; York Bus Forum LP submission Attachment 2018.docx

I enclose our submission and attachment (two separate Word documents).

Please contact me if you have any questions about these documents.

Many thanks.

Best regards.

Graham

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**Graham Collett**  
**Chair, York Bus Forum**  
**The Voice of York's Bus Users**  
[chair@yorkbusforum.org](mailto:chair@yorkbusforum.org)  
<http://www.yorkbusforum.org/>  
[@bus\\_york](#)

[REDACTED]

# 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

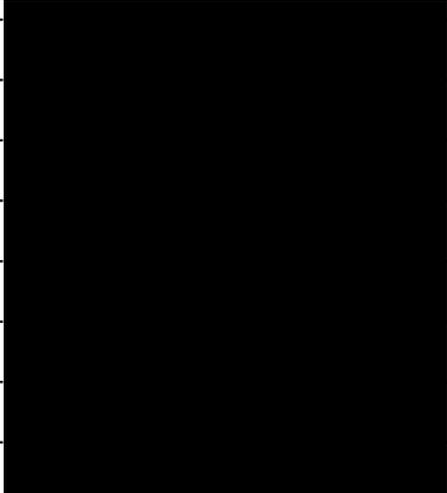
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Graham	
Last Name	Collett	
Organisation (where relevant)	York Bus Form	
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

YES

Policies Map

YES

Sustainability Appraisal/Strategic Environmental Assessment

YES

## 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)

We haven't examined this question in detail, and are not in a position to comment further.

## 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.	Primarily Plan Section 14 & 15, 2.17-20 plus the SEA	Policy Ref.	Primarily T1-2 &6, but also other linked ones	Site Ref.	Various
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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.

See attachment.

**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 attachment.

**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 consider that we will bring a mix of expertise and detailed knowledge to the table and of informed challenge to what the plans authors and other representors have to say.

**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

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

# York Bus Forum

## Local Plan Submission Attachment

Our comments on the Local Plan documents are as follows:

1. Comments on Transport and Air Quality
2. Comments on Transport Topic Paper

We also attach our previous matching comments on the pre publication draft sustainability appraisal.

### 1. Transport & Air Quality

Question 5. We consider the Transport section and policies & supporting Transport Topic paper to be completely inadequate and not properly prepared, nor justified, nor effective and not in line with the requirements of the NPPF. We think this is very well explained and documented in the York Environment Forum Transport Group's submission to the Local Plan (to which we have been party as contributing members, and which we support), and will therefore not repeat all their arguments here.

Our submission will primarily focus on the public transport aspects, however we must say that a projected 30% increase in travel time on the network, and a 55% increase in peak hour congestion and the associated air quality, noise, quality of life, travel delays for people and businesses, including public transport is simply unacceptable.

Whilst there have been some limited improvements to the plan policy T2 since the previous version, there is still no supporting analysis of what strategic public transport, cycling and walking improvements should be made to mitigate and address the traffic pressures indicated, and ensure these are embedded in the plan, which is why it fails the soundness test. Where are the measures required to give buses priority to get past congested locations to maintain / provide potential car drivers attractive and reliable alternatives that they would be willing to use to get to work, in preference to driving? These need stating so that land can be dedicated and and planning gain obtained to fund - immediately obvious examples being:

- a) the conversion of the Leeman Road (Marble Arch) tunnel access into a public transport priority route, and bus & cycle priorities on the proposed new York Central road access,
- b) a dedicated public transport priority corridor over the A64 from the main urban area to the suggested access to the new Elvington airfield community (ST15), the enlarged Elvington Industrial Estate (ST26) and Elvington itself.

c) establishing a bus & cycle link between Manor Lane & Hurricane way at Clifton Moor so as to allow through running of bus services to the current completely inadequately served Rawcliffe and onto Clifton Moor, without being fouled up in the ring road traffic, and

d) the local widening of Stonebow if and when Stonebow House and the BT buildings are redeveloped to provide sufficient space for the bus stops and for buses to pass, etc.

The previous Publication Draft of the Local Plan (September 2014) included an Annex E: Transport Infrastructure Investment Requirements Study. This listed a number of Local Transport investments required as part of that version of the plan. These included (as well as the new park and ride sites at Askham Bar and Poppleton Bar which have already been completed):

BA01 Clarence Street Bus Priority Public Transport (Bus) – whilst some work was done there, the bus & cycle priorities were omitted!!

BA04 Germany Beck pinch point Pinch Point Funding Scheme – again while a Government funded scheme has been partly implemented, the original bus priority proposals have not been.

BA05 Junction improvements and other highway enhancements to improve public transport reliability Public Transport (Bus)

BA06 Access York Phase I: New Park & Ride at Clifton Moor with associated bus priority measures on B1363 Wigginton Road. Public Transport (Park & Ride). Although this scheme had a qualifying BCA , it could not be afforded out of the limited phase 1 Government funding.

BA07 Manor Lane / Hurricane Way Link Public Transport (Bus) – our item c) above

BA10 ST5 York Central Access and Link Road Public Transport (Bus) – a different access route is now proposed as part of the York Central (ST5 site), but despite also being the proposed prime northern access for the two Park & Ride route diversions that are now intended to provide the high quality public transport, no bus priorities have so far been proposed on the new access road & junction onto the very busy Water end link or at the very busy / overloaded junctions either end. With all the extra development related traffic such an omission will almost certainly see a significant worsening of the journey times and reliability of these services and potentially damage their uptake.

RA01 A new railway station at Haxby Public Transport (Rail)

Whilst a few of these are now being addressed, we could find no reference to the remaining schemes in this current draft of the plan. Does this mean they have been dropped? The additional Park and Ride site at Clifton Moor would be very valuable in reducing the volume of traffic approaching York from this direction and providing a potentially high frequency

loop to the shops & back through the employment area - and a long overdue high quality connection for people working there coming from the city centre and beyond. There are also many low paid workers who have no alternative to using public transport – what contributions will new developments make to ensuring there are early morning and late evening, Saturday & Sunday services, not just daytimes? Again this whole issue is crucial to the wider local economy and employment in the city, which is already suffering from York’s congested city image, and the ability of all its working population to access jobs. Bus services are also crucial to many elderly, disabled and benefit claimants. The real danger from this plan is it through failing to positively plan for improving public transport, it actually causes further deterioration in the quality and availability of public transport services, and causes more social exclusion and isolation. Similarly the scandal of York’s poor air quality, and the ill health and deaths it causes, must not be worsened by failing to plan adequate clean transport solutions for the city as the current plan appears to do.

Question 6. A comprehensive analysis of the transport system in York and what is the right package of measures, including demand management, to best address the existing as well as the future transport needs of the city is required. It needs to demonstrate that the degree of change and mitigation is sufficient to tackle the problems (in line with the guidance for preparation of local plans). It should also include cost benefit analysis of different strategies to ensure the optimum package of measures within affordability constraints is chosen. Given the already overburdened existing road network in the main urban the solution there at least must lie in a fundamental shift to public transport and the active modes of travel. The plan needs to incorporate the necessary measures including land to deliver this. Targets should be set, so delivery and effectiveness can be monitored, and additional measures undertaken if deficient. A new Local transport Plan 4 to replace the out-of-date LTP3 should be done in parallel, rather than after, when its results can’t be fed in to the Local plan. This work is crucial as we believe it will demonstrate some different investment priorities to the (so far not justified) ones shown in the current plan.

## 2. Transport Topic Paper

2.1. Figure 1 of the paper identifies “congestion pain” caused by increased demand (traffic growth) and the need for a “high level viability assessment”. Apart from the bus symbol in this diagram, no other reference to the use of public transport to reduce demand seems to appear in the remainder of the document.

2.2. Stage 2 para vi makes clear that the viability assessment will concentrate on additional infrastructure and whether this can be afforded. It ignores any attempt to reduce demand by encouraging greater use of public transport and increasing the current range and frequency of bus and park and ride services or provision of a new railway station at Haxby

(or other previously well researched sites at York District Hospital, Strensall and York Business Park, Poppleton).

2.3. The paper then explains the need to update the current York Strategic Transport Model, as this has not been reviewed since 2010 and describes the consultancy work commissioned by the Council to address this need. One of the key requirements of this refresh was to ensure that it meets current WebTAG guidance. This consists of software tools and guidance on transport modelling and appraisal methods that are applicable for highways and public transport interventions and is based on the key principles in the Treasury's Green Book.

2.4. The Green Book recommends the cost-benefit analysis approach to appraisal. Applying this to the transport context, transport appraisal draws together information on a wide range of impacts – it does not just consider the direct impacts on the transport users and service providers affected by the intervention, but also the impacts of the intervention on the environment, wider society and government.

2.5. However, despite the stated requirements of the refresh, the consultancy work seems to have been devoted to traffic modelling based on a review of the 2016 York Traffic Model and has only been based on WebTAG Highway Assignment Modelling guidance! It is clear that the consultancy work does not address the need for the refresh, as it is much too narrowly based.

2.6. A much wider study is needed which: a) Takes into account the transport requirements of the proposals for housing, employment and industry developments set out in the Local Plan; b) Does not assume that demand should or could be met; c) Fully explores the potential for public transport interventions of the kind referred to at para 2 above; d) Considers the wider impacts recommended by the Green Book – particularly on the environment and air quality.

END

## Appendix

York Bus Forum comments on Transport Aspects of the pre-publication draft Sustainability Appraisal

Main Report

4.11 Transport

4.11.4 The paper identifies ‘accessibility gaps’ in the outlying smaller villages and point out that villages on the main interurban bus routes have better access to the City Centre than those not on these routes. It also noted that “Vehicle ownership levels are significantly higher in rural areas and in some cases are more than double that for urban wards.” 4.11.7 Moreover, it says that “evidence suggests that car ownership is growing and with this there may be an equivalent increase in traffic that may have negative effects, particularly at peak hours where certain roads are known to be at capacity.” 4.11.9 We were pleased to see that the council recognise that “Co-location of development with sustainable transport is paramount and without policy intervention this may not be achieved, negatively affecting the City’s ambition to become a more sustainable and environmentally friendly city.” Fine words but no there are clear proposals to provide bus services to serve these developments. 4.11.10 We note that the net inward commute to work creates “an imbalance which impacts on the road network particularly at peak time and is not likely to be rectified without policy intervention and a balance between housing and economic growth, factoring in infrastructure improvements.” It is not clear what policy interventions are proposed to address this issue. Spatial Strategy Policies 6.5.8 We note that these policies include: “The promotion of sustainable transport solutions including cycling and pedestrian routes” This is fine but it needs to be accompanied by a significant increase in bus services – including evening and Sunday services. 6.5.11 We are concerned that limited work has been done on reducing the need to travel (SA Objective 6), except in the NE area of York, particularly as “the growth in population associated with the new development identified will lead to an increase in private cars within the City.” Moreover, despite the recognition that “some of the strategic policies include sites setaway from key areas of higher order service provision”, there are no specific provisions to provide bus services to these areas. Strategic Sites 6.5.26 We are very concerned that three of the sites “are identified to have significant negative effects as they will likely exacerbate already congested roads (ST32 and ST36) or have limited transport options limiting accessibility using alternative modes to the car (ST26)”. 6.5.27 We are also concerned that “ST26, ST32 and ST36 were also identified to have potentially significant negative effects on air quality as result of transport and associated deteriorating air quality, with the latter sites also potentially negatively contributing to AQMAs.

6.5.28 ST26 was assessed as having “a significant negative effect on SA Objective 7 (climate change) because of its location, paucity of bus routes and density of new employment space resulting in a significant number of employees likely to rely upon private car to travel to the site.” Yet despite these new road users adding to emissions and congestion, there are apparently no proposals in the Plan to address this problem!

Section 6 – Transport (pp 29 to 34) Sustainable Travel Modes: Bus Travel “However, it would also appear that services from these areas to other parts of the York, such as out-of-town developments, are not so well provided. The key reasons for higher car ownership in rural areas include: a lack of local facilities, such as shops and services, and less access to frequent public transport, leading to people being more likely to travel by private car.”

There are no proposals to provide better bus services to address this issue.

6.2 Local Transport Plan (LTP) 3 The document states that “the LTP3 vision for transport over the next 20 years is to enable everyone to undertake their activities in the most sustainable way and to have a transport system that: • Has people walking, cycling and using public transport more; • Makes York easier to get around with reliable and sustainable links within its own area, to adjacent areas and cities and the rest of the UK; • Enables people to travel in safety, comfort and security, whatever form of transport they use; • Provides equal access to opportunities for employment, education, training, good health and leisure for all, and • Addresses the transport-related climate change and local air quality issues in York.” We note that since publication of LTP3, City of York Council has made successful bids to the national government’s Local Sustainable Transport Fund (LSTF) and Better Bus Area Fund to implement various packages of sustainable transport measures to help realise this vision. We welcome the LSTF funded ‘i-Travel York’ programme which seeks to influence travel behaviour in favour of more sustainable and active forms of travel and thereby reduce the dependency on the private car. However, this has focused mainly on the north-east sector of York and there is no indication whether it will be extended more widely. Moreover the plan does not appear to contain any evidence of the results of the programme.

[REDACTED]

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**From:** Zoe Adams [REDACTED]  
**Sent:** 04 April 2018 21:27  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan Consultation

Dear Sirs,

I am writing in support of the draft Local Plan which is currently out for consultation. In particular, I support an annual housebuilding target of 867 new homes. I especially support the policy of building homes on brownfield sites and the decision not to safeguard land for future development.

I do not agree that the City is able to accommodate any more than 867 new homes each year, largely because the City's infrastructure would simply be unable to cope with the demands that would be placed on it. This particularly applies to the outer ring road: it is beyond the scope for discussion that this road is unable to cope even with the current demands that are placed on it.

I believe that the special protection that is afforded to the Greenbelt by the NPPF is properly and fully given effect to in the current version of the draft Local Plan and I fully support its adoption.

Yours faithfully

Zoe Williams  
[REDACTED]

Sent from my iPad

**From:** Denise Craghill [REDACTED]  
**Sent:** 04 April 2018 21:29  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan submissions  
**Attachments:** Comments\_form policy SS12.docx; Comments\_form\_SS3.docx

<<...>> <<...>>

Please find attached two comments forms regarding the Local Plan consultation.

Cllr Denise Craghill

# 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	Denise	
Last Name	Craghill	
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)

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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?

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 Ref. SS3	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.

5<sup>th</sup> para., last sentence 'Change of use of existing Use Class A, B1(a) and town centre leisure, entertainment, and culture uses will be resisted.' Shouldn't it say 'use class A1' rather than 'use class A'. I am generally very supportive of this whole policy (SS3) but my understanding is e are aiming to protect diversity in the city centre retail offer and particularly to protect shops over and above an over-concentration of restaurants, cafes and bars – so it is A1 we aim to protect at least in some cases, not the whole of A. This would be consistent with the protection of A1 in the retail policies.

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.**

5<sup>th</sup> para, last sentence amend 'A' to 'A1'

Add a further principle xi) Ensure better overall access and facilities for people with disabilities.'

**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 X

**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>

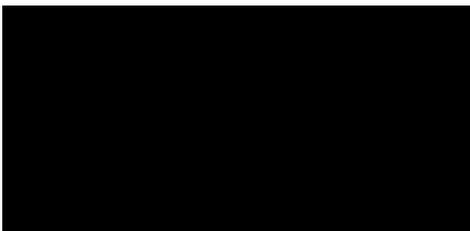
## Your rights

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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)

Date 4<sup>th</sup> April 2018

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

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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:

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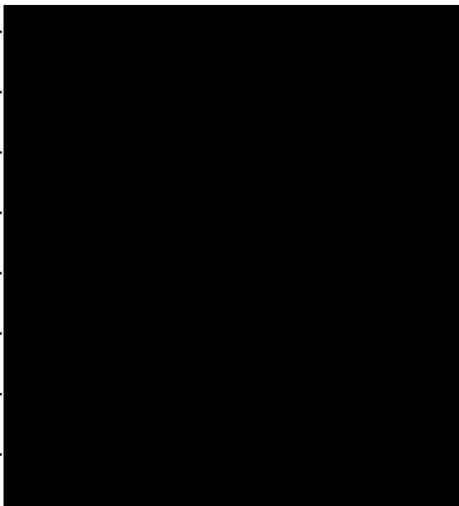
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## Part A - Personal Details

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	Cllr	
First Name	Denise	
Last Name	Craghill	
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		

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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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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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**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 Ref.	Site Ref.	ST14
	SS12		

**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 requirements in the policy to ensure sustainable transport provision for this site are inadequate and mean that the Plan fails to meet its stated policy objectives to tackle climate change, improve air quality, support the economy and improve quality of life in York. Simply saying 'demonstrate that all transport issues have been addressed' is not sufficiently specific. The Plan document itself states adjacent to Policy SS12 that this section of the A1237 is already one of the most congested parts of the outer ring road.

With a site of more than 1,200 dwellings without stronger requirements for the provision of sustainable transport, the number of additional car journeys generated by the site will inevitably lead to seriously increased congestion on the surrounding road network and the arterial routes into the city, including Wiggington Road. This will undermine efforts to promote sustainable transport, worsen air quality, impact on the local economy, worsen quality of life in this part of the city and undermine the city's climate change commitments.

The Plan in general and this policy section specifically both fail to provide specific targets for journeys by non-car modes. In order to meet the Plan's policy objectives and avoid the impacts of unacceptable levels of congestion, this needs to be in the region of 70 - 80% and should require the necessary infrastructure to be provided to achieve that. The only figure in the policy so far is for 'upwards of' 15% of trips by public transport but it isn't clear how even this will be achieved. Other cities such as Vauban/Freiburg have been able to achieve very high levels of non-car journeys – York not only can but needs to do so.

[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)

Specifically to SS12 measures to promote public transport, walking and cycling have already been watered down from the previous version of the Plan and are inconsistent with the policy laid out in Policy T2 in the Plan, which sets out the need for a segregated grade separated bus (and pedestrian/cycle) route across the A1237 to improve connectivity with the city. The requirement to provide (or at least share in the provision) of dedicated public transport and cycling/walking facilities needs to be far stronger.

**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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Insert new point vi) Require a transport plan for the site which will deliver at least 70% of trips into, out of, through and within the site by non-car modes.

Amend point viii) as follows: Deliver upgrades to the outer ring road in the vicinity of the site in order to prioritise road space for public transport, car-sharers and cyclists and facilities for pedestrians to cross. Any increases to capacity on the Outer Ring Road should be in order to benefit public transport and other non car modes. A complementary measure would be to amend the second part of point viii. to say 'The transport plan for the site should include plans for the delivery of a grade separated, dedicated public transport, cycling and walking route across the A1237 as referenced in T2.'

Insert new point x) The transport plan for the site should consider the use of light rail to deliver its modal split objectives.

**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 would like the opportunity to respond to comments from other respondents.

**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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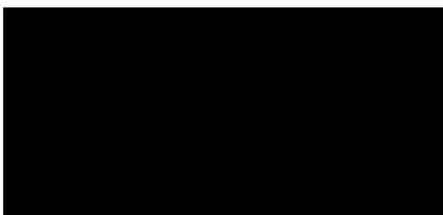
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Date 4<sup>th</sup> April 2018

## 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

[REDACTED]

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**From:** Denise Craghill [REDACTED]  
**Sent:** 04 April 2018 22:55  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan submission  
**Attachments:** Comments\_form\_SS4.docx

<<...>>

Please find attached a Local Plan submission form.

Cllr Denise Craghill

# 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

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Title	Cllr	
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Last Name	Craghill	
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		
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Telephone Number		

# Guidance note

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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?

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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# 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 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.

Second para, final bullet point – non-ancillary retail has been added back into the mix of permitted uses for the site. Over many years of debate it had been agreed that non-ancillary retail is not an appropriate use for this site as it is likely to damage the prosperity and viability of the city centre. Whilst the current Plan does include reference to ‘impact and sequential assessment’ experience has shown that sequential assessments are very weak tools that can be easily manipulated. In the face of out of town competition and the internet, protection for the city centre should be robust and should rule out options for comparison retail on a site that is rapidly become overcrowded with proposed uses.

The clauses relating to transport are not sufficiently robust to enable the development to make the necessary contribution to planning for an environmentally friendly city with good air quality, liveable neighbourhoods and a sustainable transport network. If transport provision to, from, through and within the site is not required to be sufficiently environmentally sustainable, then sustainability can in no way be ‘embedded’ in the site and a great opportunity to create an exemplar sustainable development will be lost. Much of the current text on transport consists of general platitudes.

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.**

Second para, delete final bullet point.

Development principles – add a new xiv) 'A transport plan for the site must demonstrate how a maximum of 10% of journeys to, from, through or within the site by private car will be achieved.'

**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 the opportunity to respond to comments made by other respondents.

**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>

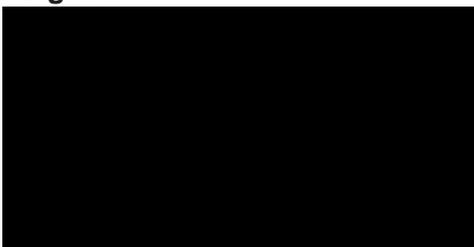
## Your rights

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 4<sup>th</sup> April 2018

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

[REDACTED]

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**From:** Denise Craghill [REDACTED]  
**Sent:** 04 April 2018 23:15  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan submission  
**Attachments:** Comments\_form\_SS15.docx

<<...>> Please find attached a Local Plan submission form.

Cllr Denise Craghill

# 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

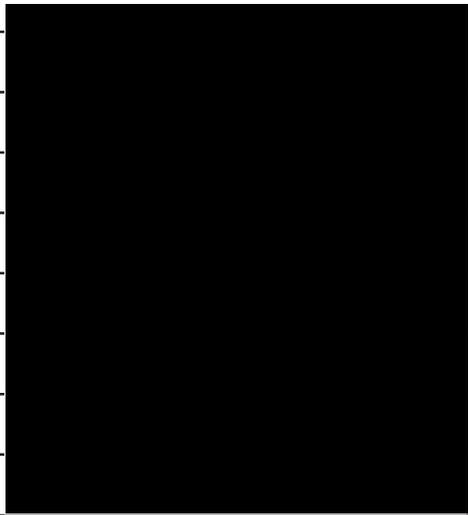
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Denise	
Last Name	Craghill	
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)

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## What can I make comments on?

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## 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.

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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"?

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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 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 Ref.	Site Ref.
	SS15	ST17

**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.

Development principle iii) makes no mention of the provision of affordable housing in keeping with affordable housing policy H10. This is inconsistent with the development principles for other sites.

Whilst the policy is very clear that access between Haxby Rd and Wigginton Road should be limited to public transport, walking and cycling, a more robust approach is needed to minimise car journeys generated by this site which is in a very sustainable location.

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.**

Development principle iii) add in reference to provision of affordable housing.

Add two new development principles:

ix) A transport plan for the site should demonstrate how non-car journeys of at least 80% will be achieved.

x) Overall site layout and walking and cycling routes (including routes to public transport) should be designed to be more attractive than vehicle routes to prevent any cutting through via side roads or otherwise between Wigginton and Haxby Roads.

**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 the opportunity to respond to comments made by other respondents.

**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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Date 4<sup>th</sup> April 2018

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

[REDACTED]

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**From:** Denise Craghill [REDACTED]  
**Sent:** 04 April 2018 23:48  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan submission  
**Attachments:** Comments\_form\_evidence base doc.docx

Please find attached a Local Plan submission form.

Cllr Denise Craghill <<...>>

# 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	Denise	
Last Name	Craghill	
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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## What can I make comments on?

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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  (Evidence Base)
- 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)

Local Plan Evidence Base document : Open Space and Green Infrastructure update Sept.2017, pages 30 – 32, Guildhall Ward – the map correctly shows 426 the motte and green space around Clifford's Tower as amenity greenspace and yet it also shows a small 'dent' in the greenspace adjacent to the steps. This does not exist – the whole area is amenity greenspace and should be shown as such. There is no legal justification for removing this area from the amenity greenspace definition as there is no distinction between this piece of land and the rest of the amenity greenspace.

## 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)

<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 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.

As above at 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.**

Amend the map as described above at 4.3 to include all of the green space around Clifford's Tower as amenity greenspace.

**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>

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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>

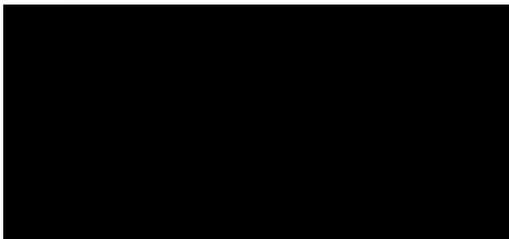
## Your rights

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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 554145](tel:01904554145)

Date 4<sup>th</sup> April 2018

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

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 04 April 2018 22:11  
**To:** localplan@york.gov.uk  
**Cc:** 'Helene Littlewood'  
**Subject:** Local Plan Objections  
**Attachments:** Comments\_form\_FINAL - ST15 - Rob Littlewood.pdf; Comments\_form\_FINAL - H39 - Rob Littlewood.pdf

Dear Sir/Madam,  
Please find attached copies of my objections to sections of the proposed Local Plan developments.

Regards

[REDACTED]



LEADA Ltd

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



Virus-free. [www.avast.com](http://www.avast.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

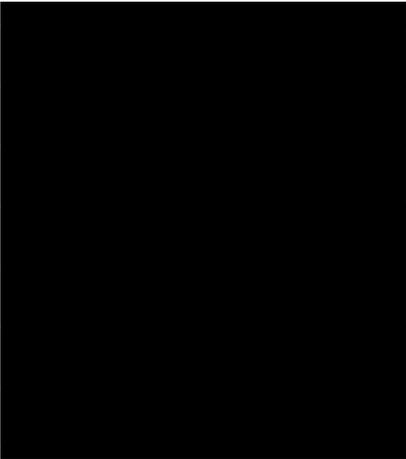
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Mr	
First Name	Rob	
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	[REDACTED]		
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# 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

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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)

<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 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 proposed development accessing through the southern end of Beckside for 32 houses would have too great an impact on the village structure and its way of life. These houses would have an initial environmental impact on what is already designated Green Belt (greenfield) land. The proposed site is only a short distance from a Statutory Nature Conservation Site – River Derwent SAC/SPA/RASMSAR.

The area of Church Lane, between the Rectory and the gated entrance to The Grange, experiences frequent flooding in times of heavy rainfall and has only recently had to have frequent pumping equipment running during the recent weeks due to flooding preventing navigation by the local residents. This situation will only be exacerbated with additional homes/access roads/hard standings being built only a matter of metres away.

Church Lane is a well-used area for the villagers for walking and exercising their dogs and horses as it is one of the few areas providing a quiet, rural feel, within easy walking distance of the village centre. The southern boundary to the proposed development is a wonderful series of trees providing an avenue feel to the lane. Extensive housing being built just the other side of these trees will have a significant impact on the whole character of the village.

The potential addition to the already heavy morning commuter traffic, would pose additional problems not just in congestion at the junction with the B1228, but the increased threat to pedestrians, mainly children, on their way to the village school at this time.

The increase in housing on the Beckside development was previously proposed in 1992 when it was declined for many of the reasons already mentioned above.

Elvington has accepted its share of growth and development, both in housing and industrial expansion. All the recent developments passed have been in keeping with the nature and feel of the village, and have not detracted from it.

The proposed developments are not designed for local needs but for a net immigration to the village. Additionally the proposal reverses a previous planning inspectorate decision which found the proposal unacceptable.

The significant loss of already designated Green belt land would itself be a major cause for concern, but it would set a dangerous precedent for the future where protected or designated land could no longer be safe from future development.

**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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If further Elvington development is necessary then the previous proposed site in Dauby Lane would be a much more sensible option in that it offers significantly more housing opportunity, and of the more appropriate type. It would also provide a link between the two ends of the village and give better access to the main B1228 and A1079 routes.

**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

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

Digitally signed by Rob Littlewood  
Date: 2018.04.04 21:56:46 +01'00'

Date

04/04/2018

<sup>1</sup> Section 20(3) Planning and 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

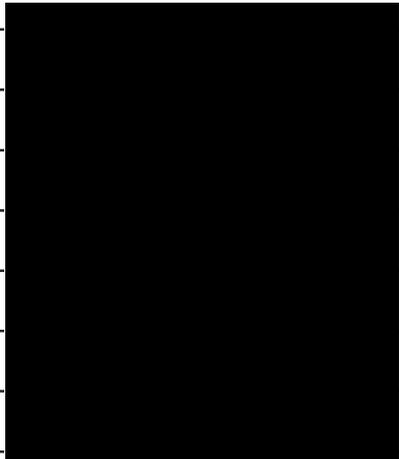
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Mr		
First Name	Rob		
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	[REDACTED]		
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# 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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- 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?

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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)

## 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

---

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)

<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 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.

With regard to the proposed development on land to the west of Elvington Lane I would like to register my strong objections.

- 1) The size of the proposal is far too large in relation to it's proximity to Elvington and Wheldrake and the increased traffic flow arising will create havoc through the villages.
- 2) The bottleneck that is present due to the bridge in Elvington will result in a significant risk increase to pedestrians as well as road users. The traffic flow past the village green is already an issue at peak times and can only get worse due to the vehicle numbers that must inevitably arise from over 3000 new homes.
- 3) The original location was much better situated at Heslington, as the A64 is a natural divider and boundary not impacting the original village and the direct access to the A64 makes it a safe and efficient location for the additional 3000 homes worth of traffic.
- 4) The suggested region of construction is a nature conservation site, therefore damaging the natural surroundings and wildlife which will be unable to be relocated or redeveloped. The site is used recreationally by locals from all villages and towns surrounding the area as biking and walking paths.
- 5) The Airfield is a historic site and has heritage to the area. A hundred thousand tourists visit and use the existing runway each year, for racing, showcasing, airshows, land speed records etc.
- 6) The Airfield is a Green belt site which has established itself into the local ecosystem, building on this would alter the natural food chain and biodiversity.
- 7) The history behind the Airfield is important to multiple generations and embedded into Yorkshires past. The purpose of the airfield is now a memorial for veterans and all those associated through family. Tearing it up means that beyond being irreplaceable, it would degrade the museum and memorial for the war.

**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 size of the development should be drastically reduced and moved further north, away from the airfield and much closer to the A64 to direct traffic directly out onto the dual carriageway. There should be no direct road link to the B1228.

**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:

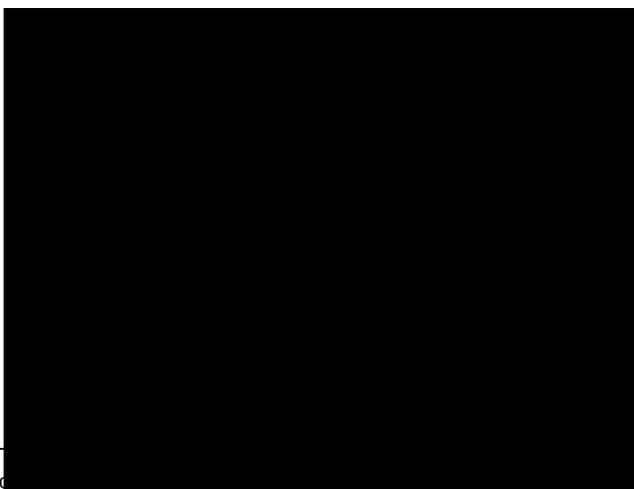
The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. 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 plan making process. The information you submit e made available 6 weeks after the date of the

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## Your rights



rotection Act 1998 (and any successor legislation),  
Office (ICO) <https://ico.org.uk/for-the-public/>

Notice, your rights, or if you have a complaint about  
ong we have kept it for, please contact the Customer  
r on [01904 554145](tel:01904554145)

y Rob Littlewood  
21:58:14 +01'00'

Date

04/04/2018

<sup>1</sup> Sections 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:** sue cooke [REDACTED]  
**Sent:** 04 April 2018 22:17  
**To:** localplan@york.gov.uk  
**Subject:** Responses to Local Plan

I have been busy studying the local plan, many thanks for the link.

However not able to download and standard response forms, despite many attempts.

I trust these comments can be forwarded and included in the response to the Government inspectors.

### **Regarding the development of York Central.**

The Permitted Uses and Principles of Development do not appear to agree with each other.

For example permitted uses does not include a primary school or nursery, or health facilities, whereas this is included under principles of development. Perhaps this is a technicality.

Under the heading of Permitted Uses Hotels are listed.

I strongly disagree with the inclusion of Hotels for York Central. The area surrounding York Central already has an abundant supply of hotel beds. This would be an inappropriate use of this important space.

Housing is a key element of the York Central development, however the planned target of 2,500 dwellings is a huge increase on the earlier plan of 1,500 dwellings. I believe this would involve too high a density of housing on this site.

Regards

Sue Cooke

On 28 February 2018 at 16:52 "[localplan@york.gov.uk](mailto:localplan@york.gov.uk)" <[localplan@york.gov.uk](mailto:localplan@york.gov.uk)> wrote:

Hi Sue,

Regarding your email from the 19<sup>th</sup> of February, please find attached the leaflet "*York's Local Plan: making your comments to government*".

It is also available to download from

[https://www.york.gov.uk/downloads/file/15305/yorks\\_local\\_plan\\_making\\_your\\_comments\\_to\\_government](https://www.york.gov.uk/downloads/file/15305/yorks_local_plan_making_your_comments_to_government) along with all other Publication Local Plan Documents at [https://www.york.gov.uk/downloads/download/4252/local\\_plan\\_publication\\_draft\\_2018\\_consultation](https://www.york.gov.uk/downloads/download/4252/local_plan_publication_draft_2018_consultation) .

Apologies for the delay, hope this helps.

Regards,

The Local Plan Team

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**From:** sue cooke [REDACTED]  
**Sent:** 19 February 2018 09:09  
**To:** [yourservice.yoursay@york.gov.uk](mailto:yourservice.yoursay@york.gov.uk)  
**Subject:** York's Local Paln

Dear City Council colleague,

I have a paper copy of the little green leaflet regarding responding to Government.

I would be grateful if you could send me an email copy to this address :-

[REDACTED]

Many thanks

\*\*\*\*\*  
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.

City of York Council disclaims any liability for action taken in reliance on the content of this communication.

City of York Council respects your privacy. For more information on how we use your personal data, please visit <http://www.york.gov.uk/privacy>

[REDACTED]

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**From:** PILGRIM, John [REDACTED]  
**Sent:** 04 April 2018 22:13  
**To:** localplan@york.gov.uk  
**Subject:** York Local Plan Publication Draft Reg 19 - ESFA comments  
**Attachments:** York Local Plan Reg 19 JP Final March 2018.pdf

Dear Sir/Madam,

Please find attached the Education and Skills Funding Agency's comments on the York Local Plan Publication Draft (Reg 19) consultation. Should you have any queries concerning this response please do not hesitate to contact me.

Yours faithfully,

John

**John Pilgrim**

Forward Planning Manager (North), Free Schools Capital  
Education and Skills Funding Agency  
Department for Education

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]





Our Ref: ESFA/York Local Plan Publication Draft/March 2018

4<sup>th</sup> April 2018

Dear Sir/Madam,

Re: York Local Plan Publication Draft February 2018

Consultation under Regulation 19 of Town and Country Planning (Local Planning) (England) Regulations 2012

#### Submission of the Education and Skills Funding Agency

1. The Education and Skills Funding Agency (ESFA) welcomes the opportunity to contribute to the development of planning policy at the local level.

The ESFA previously submitted comments on the City of York's Local Plan Pre Publication Draft on the 13<sup>th</sup> November 2017. The comments below address the issues raised by the latest iteration of the York Local Plan.

#### Comments on the Local Plan

2. As you will be aware, the primary focus at this stage of the Local Plan's preparation is on the soundness of the plan, with regard to it being positively prepared, justified, effective and consistent with national policy. The following detailed comments set out the ESFA's view of the plan's soundness in respect of education provision.
3. The ESFA makes the following comments on the Local Plan Pre Publication Draft:
  - **Policy SS4: York Central; Policy SS9: Land East of Metcalfe Lane and Policy SS13: Land West of Elvington Lane.** We highlighted in our previous response to the Local Plan Pre Publication Draft consultation that it would be helpful if land were safeguarded for the provision of schools as part of these proposed allocations. We still consider that this minor modification to the Local Plan would help to improve the clarity of the Local Plan and provide greater certainty for the development industry.
  - In addition to the comments made above in relation to site allocations, we would also like to highlight that the overall clarity of the Local Plan would be improved by including additional detail around when new schools will be needed to support the delivery of major housing allocations.

### **Forward Loan Fund**

4. In light of draft policies: **Policy SS4: York Central; Policy SS9: Land East of Metcalfe Lane and Policy SS13: Land West of Elvington Lane**, emerging ESFA proposals for forward funding schools as part of large residential developments may be relevant, for example if viability becomes an issue. The ESFA aims to be able to clarify forward funding options for schools in 2018. We would be happy to meet to discuss this opportunity further once the options have been finalised and if/when relevant. Any offer of forward funding would seek to maximise developer contributions to education infrastructure provision while supporting delivery of schools where and when they are needed.

### **Evidence Base**

5. It would be useful if a Planning for Schools topic/background paper could be produced, expanding on the evidence in the Council's Infrastructure Delivery Plan (2014), setting out clearly how the forecast housing growth at allocated sites has been translated (via an evidence based pupil yield calculation) into an identified need for specific numbers of school places and new schools over the plan period. This would help to demonstrate more clearly that the approach to the planning and delivery of education infrastructure is justified based on proportionate evidence. If required, the ESFA can assist in providing good practice examples of such background documents relevant to this stage of your emerging Plan.

### **Developer Contributions and CIL**

6. One of the tests of soundness is that a Local Plan is 'effective' i.e. the plan should be deliverable over its period. In this context and with specific regard to planning for schools, there is a need to ensure that education contributions made by developers are sufficient to deliver the additional school places required to meet the increase in demand generated by new developments. The ESFA notes that a Draft CIL Charging Schedule is currently being developed alongside the Local Plan, and will be consulted on during the summer of 2018. The ESFA would welcome the opportunity to comment on the proposed CIL Charging Schedule's approach to education contributions.

### **Conclusion**

7. Finally, I hope the above comments are helpful in finalising York's Local Plan, with specific regard to the provision of land for new schools.
8. Please notify the ESFA when the Local Plan is submitted for examination, the Inspector's report is published and the Local Plan is adopted.
9. Please do not hesitate to contact me if you have any queries regarding this response. The ESFA looks forward to continuing to work with York City Council to develop a sound Local Plan which will aid in the delivery of new schools.

Yours faithfully,

J Pilgrim

**John Pilgrim MRTPI**  
Forward Planning Manager - North

[REDACTED]  
[REDACTED]  
Web: [www.gov.uk/esfa](http://www.gov.uk/esfa)

[REDACTED]

---

**From:** Helene Littlewood [REDACTED]  
**Sent:** 04 April 2018 22:01  
**To:** localplan@york.gov.uk  
**Cc:** Rob Littlewood  
**Subject:** Objection to Local Plan  
**Attachments:** Comments\_form\_FINAL - ST15 - Helene Littlewood.pdf; Comments\_form\_FINAL - H39 - Helene Littlewood.pdf

Dear Sir/Madam,  
Please find attached copies of my objections to sections of the proposed Local Plan developments.

Helene Littlewood



Virus-free. [www.avast.com](http://www.avast.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

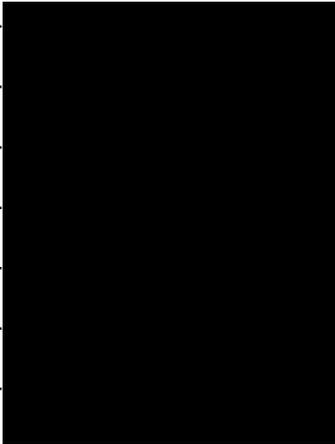
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Helene	
Last Name	Littlewood	
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	[REDACTED]	
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# 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 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.

The proposed 32 home development that is intended to be accessed through the southern end of Beckside would have a large environmental impact on what is already designated Green Belt (greenfield) land. A Statutory Nature Conservation Site – River Derwent SAC/SPA/RASMSAR being only a short distance away. The area of Church Lane, between the Rectory and the gated entrance to The Grange, experiences frequent flooding in times of heavy rainfall and has only recently (and continues to receive at the time of writing) had to have frequent pumping equipment running during the recent weeks due to flooding preventing navigation by the local residents. A situation that will only be exacerbated by additional homes/access roads/hard standings built only a matter of metres away.

The potential addition to the already heavy morning commuter traffic, would add to the problems of not only congestion at the junction with the B1228, but the threat to pedestrians, mainly children, on their way to the village school at this time.

The increase in housing on the Beckside development was previously proposed in 1992 when it was declined for many of the reasons already mentioned above.

Elvington has accepted its share of growth and development, both in housing and industrial expansion. All the recent developments passed have been in keeping with the nature and feel of the village, and have not detracted from it.

The proposed developments are not designed for local needs but for a net immigration to the village.

The proposal reverses a previous planning inspectorate decision which found the proposal unacceptable.

The development would see a significant loss of already designated Green belt land which would itself be a major cause for concern, but it would also set a dangerous precedent for the future where protected or designated land could no longer be safe from future development.

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.**

If further Elvington development is necessary then the previous proposed site in Dauby Lane would be a preferred option in that it offers significantly more housing opportunity, and of the more appropriate type. It would also provide a link between the two ends of the village and give better access to the main B1228 and A1079 routes.

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

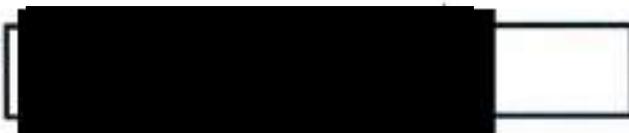
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local 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

4/4/18

<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

# 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	Helene	
Last Name	Littlewood	
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	[REDACTED]		
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# 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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## Can I submit representations on behalf of a group or neighbourhood?

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## Do I need to attend the Public Examination?

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You can view the Local Plan Publication draft Consultation documents

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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.

## 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)

<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 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.

With regard to the proposed ST15 development on land to the west of Elvington Lane I would like to register the following objections.

- 1) The size of the proposal is far too large in relation to it's proximity to Elvington and Wheldrake and the increased traffic flow arising will create havoc through the villages.
- 2) The suggested region of construction is a nature conservation site, therefore damaging the natural surroundings and wildlife which will be unable to be relocated or redeveloped. The site is used recreationally by locals from all villages and towns surrounding the area as biking and walking paths.
- 3) The Airfield is a historic site and has significant relevance to the area. A vast number of tourists visit and use the museum and existing runway each year, for racing, showcasing, airshows, land speed records etc.
- 4) The Airfield is a Green belt site which has established itself into the local ecosystem, building on this would have a detrimental effect upon alter the natural food chain and biodiversity. Domesticated pets will seriously harm the existing fauna a fact that is impossible to restrict with the number of houses being proposed.
- 5) The history behind the Airfield is important to multiple generations and embedded into Yorkshires past. The purpose of the airfield is now a memorial for veterans and all those associated through family. Tearing it up means that beyond being irreplaceable, it would degrade the museum and memorial for the war veterans and their families.
- 6) The bottleneck that would result in the villages, particularly Elvington from the massive increase in traffic would create a significant risk increase to pedestrians as well as road users. The traffic flow though the village is already an issue at peak times and can only get worse due to the vehicle numbers that must inevitably arise from over 3000 new homes.
- 7) The original location was much better situated nearer Heslington, as the A64 is a natural divider and boundary not impacting the original village and the direct access to the A64 makes it a safe and efficient location for the additional 3000+ homes worth of traffic.
- 8)

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 size of the development should be drastically reduced and moved further north, away from the airfield and much closer to the A64 to direct traffic directly out onto the dual carriageway. There should be no direct road link to the B1228.

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

4/4/18

<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

[REDACTED]

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**From:** LANCE RACEY [REDACTED]  
**Sent:** 04 April 2018 22:36  
**To:** localplan@york.gov.uk  
**Subject:** Consultation on Local PAn Submission  
**Attachments:** Comments\_form\_FINAL\_ Submission from the Racey Family.docx

I enclose our submission.

**Lance Racey & Tracey Harrison-Racey**

[REDACTED]

# 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

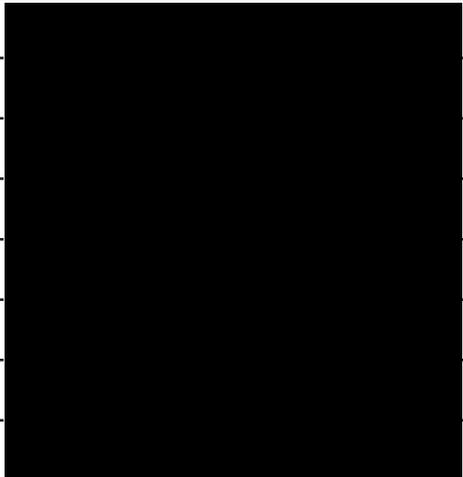
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Lance	
Last Name	Racey	
Organisation (where relevant)		
Representing (if applicable)	Lance Racey & Tracey Harrison- Racey & Family	
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.

## 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)

We believe 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)

<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.

We believe the document is sound as it has been positively prepared, is effective, justified and 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.*

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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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Signature **Lance Racey**

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

[REDACTED]

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**From:** Louisa Stevens [REDACTED]  
**Sent:** 04 April 2018 22:48  
**To:** localplan@york.gov.uk  
**Cc:** [REDACTED]  
**Subject:** Local Plan Objections to H39 and ST15 - Word documents and supporting photos  
**Attachments:** L Stevens Local Plan Site H39 objection.docx; L Stevens Local Plan Site ST15 objection.docx

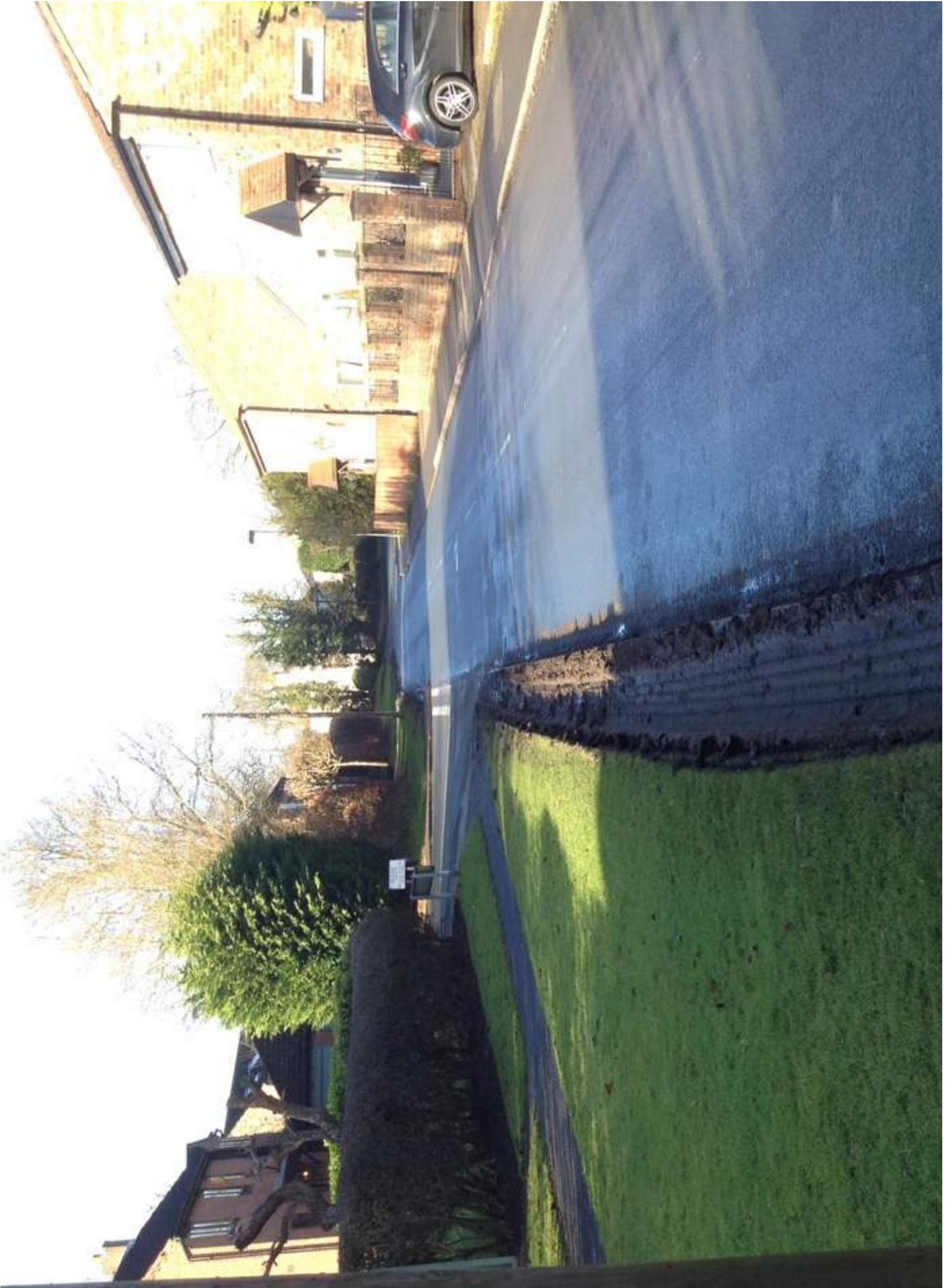
Dear City of York Council,

Please find attached two word documents with my comments relating to sites H39 and ST15, plus five photographs to support my objections.

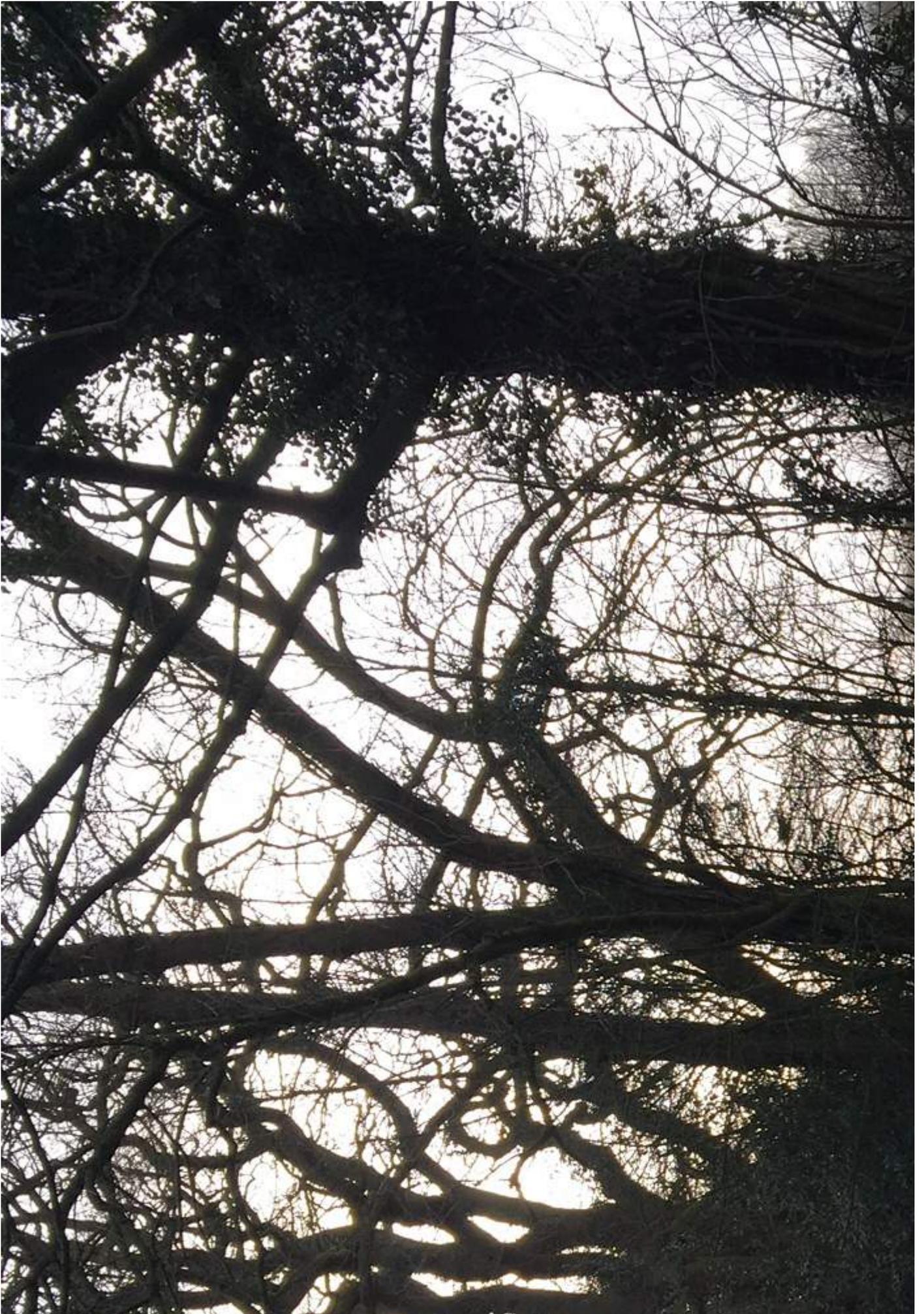
I have submitted this at 22:50 on 4th April 2017. Please could you acknowledge receipt.

Regards,

Louisa Stevens











# 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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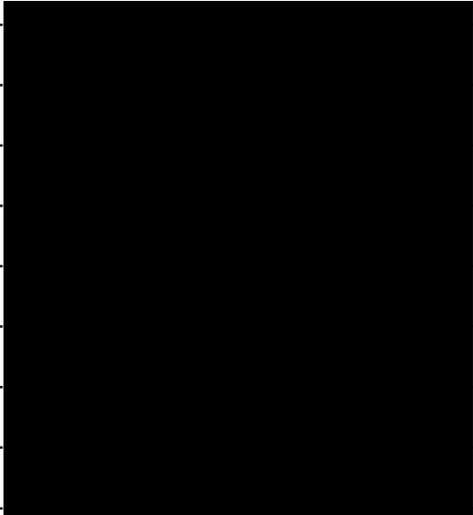
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Louisa	
Last Name	Stevens	
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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## 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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- 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)

Unfortunately it is not possible, as a layperson, to adequately assess whether the proposals are legally compliant. The documentation provided by City of York Council has proved very difficult to understand.

I don't feel the Council has satisfied the 'Duty to Cooperate' with other bodies. The requests and views of the Parish Council regarding development of site H26 rather than H39 have repeatedly been ignored.

## 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 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.

**H39**

**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 H39 is **not positively prepared, justified or consistent with national policy** for the reasons stated overleaf:

## **1. Better alternative site (H26) supported by villagers and Parish Council – H39 is not the most appropriate strategy based on proportionate evidence – given below.**

Site H26, and the impact it will have on the village if developed, has been considered at length by Elvington Parish Council and local residents. The Parish Council is recommending the development of H26 instead of H39. I strongly support this view.

The Council's reasons for rejecting H26 are that it currently provides a gap between the main village and the industrial part of the village and would 'constitute a significant change to the shape and form of the village'. Compared to the detrimental impact H39 would have on the village and residents of the whole village, and all road users (see below), the somewhat minor change in shape and form if H26 were developed would have a far lesser impact.

Furthermore, H26:

- previously passed CYC selection criteria
- serves no or limited greenbelt purpose
- provides a larger area for development and more than 32 houses
- provides a much safer junction onto the B1228
- does not have any impact on current residents as it would be an entirely new development

According to document 'H39 – SHLAA annex Officer Comments', of the 100 representations, there were an overwhelming **91 objections to the development of H39**. There were **only 3 supports**. **I urge the Government, in their role as an upholder of democracy, to listen to the voices of these people and to their wishes.** To pursue H39, which has such strong local objection, when a better site (H26) has been proposed by the Parish Council, sadly makes one question the importance of the public's opinions during this consultation process.

**Please listen to the voices of the residents and the Parish Council. We know our village best and we would MUCH PREFER development of H26 over H39, which is a more suitable site for so many reasons. We do not believe it will negatively impact the character and form of our village. Compared to H39, H26 has so much in its favour in terms of development.**

## **2. Green belt land**

The City of York Local Plan document states that it 'takes into account factors like the green belt...'. Site H39 does not meet this need.

Elvington is a rural village and sits within the Green Belt and this serves to protect the countryside and wildlife surrounding the village. H39 is in Green Belt land and thus should be preserved as such and not removed from the Green Belt and developed upon. Site H39 provides a home to diverse wildlife, including owls and bats. I believe that owls and bats are a protected species in both domestic and international legislation by (in England and Wales) the Wildlife and Countryside Act (1981) (as amended). Development of this area would have an extremely detrimental effect on the local wildlife and would damage the rural character of the village, having a detrimental impact on its residents.

## **3. H39 is not a natural extension to the village.**

The H39 SHLAA Officer Comments state that '...the site provides a natural extension to the village'. This is simply not true. Although on a map the field 'joins up' two parts of the village, in reality H39 is not a natural extension or in keeping with the village's current character or form. All residential development in Elvington that is off Main Street (B1228) is situated on cul-de-sacs, which run onto the Green Belt. This serves to maintain the rural, not suburban, nature of the village. Linking Beckside and Church Lane would go against this and would absolutely be against the current character and form of the village.

#### 4. Previous planning rejections

**Plans to develop this area before have been rejected numerous times before (1991, 1998, and 2005) for very good reason.** They were rejected on grounds that still stand today; the land was deemed to be integral to Elvington's Green Belt and village character, and an unnecessary development. Specifically, the inspector's findings were as follows:

- a.) There is no overriding need to make further provision of land for future development.
- b.) It would be inappropriate to remove this site from the Green Belt due to difficulties in relation to access that would cause harm to the character of the village or the amenities of existing residents.

**Nothing has changed since these previous rejections** and there is no reason that current plans should be passed.

**The original reasons for rejection given by the inspector still stand today.**

#### 5. Flooding

The City of York Local Plan document states that it 'takes into account factors like...flood risk'. Site H39 does not meet this need.

Elvington itself is prone to flooding and the **road that will be used as access to the site (Church Lane) along with site H39 itself floods regularly (please see attached photos)**. The village has battled with constant flooding for many years and in 2000 and 2015 suffered from very severe flooding. The one of the subsidiaries to the main beck (that floods) is from Beckside. Developing H39 will **increase the flood risk** as surface run-off enters this subsidiary beck. Furthermore, development of the land will decrease the soil and vegetation that would naturally act as a flood defence.

#### 6. Traffic on Beckside and Church Lane

Beckside and Church Lane are both **narrow roads that are at capacity** in terms of cars parked on the road and vehicular usage. Assuming that a further 32 houses brings at least 32-64 new cars (1 to 2 cars per family, given that it is very unlikely anyone will rely on our sparse public transport links), this is an extra demand on the roads they are not able to sustain. Both roads have cars parked on either side, causing drivers to have to weave in and out and drive on the wrong side of the road. The problem will only be exacerbated with further traffic.

Continued overleaf...

## **7. Dangerous junctions at Beckside and Church Lane onto B1228.**

### **H39 development will significantly increase traffic at these junctions.**

The importance of this cannot be stressed enough. The B1228 through Elvington is used heavily by HGVs, farm vehicles, vans, cars. Such heavy traffic volume, especially from HGVs and industrial vehicles, would normally be found on an 'A' road. It is hardly possible to imagine, without seeing in person, just how busy this road is through such a rural village and how much of a danger it already is to vehicle users, cyclists and pedestrians. It is used by all types of traffic as a through road from Grimston Bar to the M62, M18 and M180 motorways.

### **The junction onto H26 would be much safer than H39, as there are no other obstructions or adjoining roads.**

The junctions of Beckside and Church Lane are very busy, not only because traffic tries to enter/exit those roads onto the B1228 but because there is often congestion which causes vehicles on both sides of the road to have to stop and let other vehicles pass. This is made worse on Church Lane as there is the additional hazard of people stopping for the Village Shop and Village Hall. **Only recently a car collided with a young boy at this junction.**

Numerous young children and families cross the road from Beckside in order to go to school and it is already extremely hazardous. Older children also cross the road near Church Lane when they are dropped off from both Fulford School and Archbishop Holgate's School – again, this is already very dangerous.

**It is only a matter of time before there is a serious accident at one of these junctions as they presently stand. A further 32-64 residential cars, plus additional delivery vans and visitors will cause these junctions to be extremely dangerous and extremely busy.**

**In order to truly understand this point, I would strongly urge a Government representative to come and watch traffic at any time of day, but especially during morning and evening rush hour and when children are walking to/from school and to catch school buses.**

**Please see attached photo showing damage caused to the verge by an HGV at the Beckside junction.**

## **8. Impact on Beckside development**

The Beckside development is, for Elvington, already large development and is right at the upper limit of houses it can cope with to still maintain the essential rural character of the village. The residents of Beckside, ourselves included, specifically chose to live in this village because of these characteristics and because of the safe, family environment it currently provides. To develop this area would increase the size of Beckside to a point where it would resemble nothing more than suburban sprawl. It would be the only housing area within Elvington with a through road rather than cul-de-sac formation and would not be in keeping with the village.

## 9. Services and Infrastructure



An additional 32 houses at H39 creates additional demand on local infrastructure (roads, sewage, water supply, electricity, roads, flood defences, broadband services).

One of the aims of the aims of York City Council in its Local Plan is 'to make sure that new development is close to high quality public transport'. This is simply not the case for Site H39, which is serviced only by the most sporadic of rural village bus services.

### 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 proposed site H39 should be withdrawn and excluded, and H26 should be considered instead as most inhabitants of the village support this area for development, despite the village services already being at almost full capacity. If a site must be considered in Elvington, H26 should be the only site considered.

### 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

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

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

<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

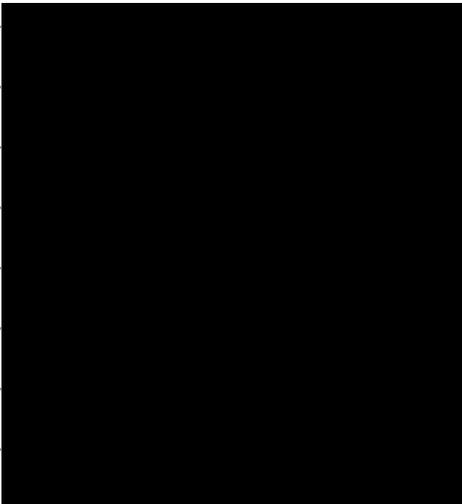
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Louisa	
Last Name	Stevens	
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

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 am not in a position to assess whether this is legally compliant, as I feel the information and guidance on this provided by the City of York Council has been too difficult to interpret as a layperson.

However, I do not feel that the document complies with the Council's Duty to Cooperate, as they have not liaised with and listened to the views of the Parish Council body, who have stated their objections to the current site so close to the airfield and given their preference for ST15 to be much further away as originally suggestion by City of York Council.

## 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 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.

**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.

This development will have a negative impact on the Elvington airfield runway and also the Yorkshire Air Museum. The Yorkshire Air Museum and the events that take place on the runway are integral parts of tourism in the city. The runway itself is historically important.

ST15 is far too close to the villages of Elvington and Wheldrake, as well as being completely disproportionate in size comparison with them. It would utterly dominate the area. It should be proposed much farther away from the current location.

Development of this area will put a further strain on the B1228 and A64 traffic, which is already poor at the moment. The B1228 is at capacity as it stands, and villages such as Elvington suffer immensely from the heavy through flow of traffic that currently exists. Adding another 3300 cars to the road, and to the A64 (and it'll have to be cars because Elvington's public transport is non-existent) will put pressure on this infrastructure that it simply cannot cope with.

This site at present is totally waterlogged. It is clearly a high flood risk area.

The airfield is Green Belt land and a site of importance to the nature surrounding it.

Site ST15 was originally proposed to be much further away from Elvington and not close to the runway. Whilst I do not support any development of site ST15, I feel that a better alternative to the current site (over the airfield) was originally proposed (far away from the airfield), and that the original site should be reinstated if ST15 is to go ahead.

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.**

ST15, if it is to be built at all, should be built **far away from existing villages of Elvington and Wheldrake and away from the Airfield, runway, industrial estate and Yorkshire Air Museum, where it was originally proposed.**

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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## 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

**From:** [REDACTED]  
**Sent:** 04 April 2018 22:50  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan Consultation 21 Feb to 4 April 2018  
**Attachments:** CYCLocalPlanResponse SA.docx; CYCLocalPlanResponse ST15\_OS10.docx

Dear Sir/Madam,

Please find my response to the local plan attached.

Regards,  
Richard Schofield

# 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

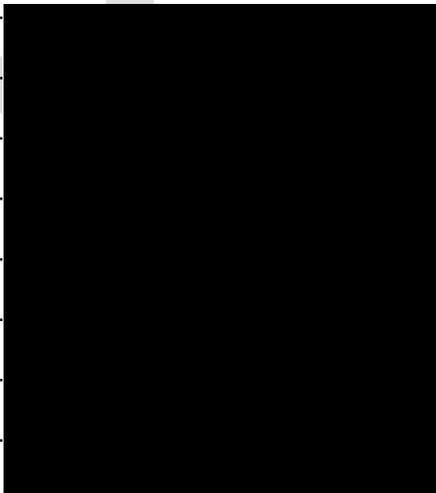
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Schofield	
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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## 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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- 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)

Contrary to National Planning Policy Framework

- To conserve and enhance the natural environment and reduce pollution
- Allocations should prefer land of lesser environmental value
- Ecological surveys must be less than 3 years old

Contrary to Wildlife and countryside act 1981

- Illegal to disturb protected species or destroy their resting places and breeding sites

## 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.

Sustainability Appraisal

SA08 Biodiversity

This is assessed negatively as amber and unknown in City of York Council Sustainability Appraisal.

There is clearly potential impact on a SSSI and a SINC site as well as disturbance and destruction of habitat for protected species (barn owls and bats) and priority species (brown hares). The threat comes from

1. The necessary infrastructure to be developed both the process of developing and the outcome of additional heavily trafficked roadways
2. The building of ST15 over many years
3. The influx of people into the area

SA09 Land Use

This is assessed negatively as red in City of York Council Sustainability Appraisal.

ST15 is partially a brown field site but it also includes green belt land and the creation of new infrastructure across virgin arable land is clearly contrary to the SA parameters for land use because

1. It requires a large amount of undeveloped land
2. It will introduce pollution
3. It does not safeguard soil quality but actively tarmacs over the best and most versatile agricultural land.

**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.**

- Mitigation measure need to be started 5 years before development as stated in SS13 (vii) not less than 4 years before as implied in 3.62 p 56.
- The council should clearly identify and justify the number of hectares of green belt arable land which will be lost to infrastructure for ST15 in addition to 139 Hectares in OS10.
- All access to ST15 should be via proposed new roadways with no access at all from ST15 onto Langwith Stray, Langwith Lane or Long Lane. This would enable the existing single track lanes used by residents, farm machinery and existing businesses to continue unobstructed, better protect the SSSI, minimize the number of different greenbelt sites that are disrupted by infrastructure, and ensure that important habitats for barn owls and bats are retained with minimal disturbance.
- A full ecological survey of t ST15, OS10 and the proposed infrastructure routes should be undertaken maximum 3 years prior to development commencing

**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

Richard Schofield

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	Mr	
First Name	Richard	
Last Name	Schofield	
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		

# 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)

Development on Greenbelt sites for ST15 with no justification of why this is an exceptional need.

ST15 is labelled as a Brown field site. This is disingenuous as

- i) the housing covers both green field and brown field sites within the proposed greenbelt
- ii) the necessary infrastructure will require extensive amounts of green field site
- iii) the proposed cycle route (SS13 key point xiii), will require further incursion into green field sites

## 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.

The selection of ST15, a remote site with no usable existing infrastructure close to a SSSI and adjacent to a SINC site, for the largest of all the housing developments in the draft York Local Plan has not been justified and is contrary to national policy on greenbelt development.

Protection of SINC site during development process so as not to disturb associated wildlife particularly birdlife including skylarks, and barn owls, as well as brown hares, from noise and physical and air pollution has not been clearly addressed.

The implications of OS10 as a nature conservation site rather than as managed conservation farmland providing arable land close to a major city has not been explored.

Usage of existing, largely single track, lanes in the draft plan as a quality cycle and pedestrian route (SS13 point xiii) is contrary to continued access for existing residents, businesses and landowners. In particular, the need for existing residents, commercial and agricultural vehicles to retain access throughout the parish in the context of proposed cycle/pedestrian routes is ineffective and unsound and indeed unsafe without major further incursion into adjacent verges/farmland. SS13 (xiii) will actively encourage increased pedestrian access to the SSSI at Tillmire including dog walkers disturbing breeding birds.

Creation of dedicated secure access (SS13 point xv) is unsound because it is ineffective as a means of providing the residents and businesses currently using these routes to continue their rights to freely allow access to their properties/places of work for visitors, trades and customers.

The combination of SS13 xiii and xv is ineffective in protecting the SSSI, ensuring safe cycle/ pedestrian access towards York and enabling existing residents and businesses to function normally.

**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.**

Mitigation measure need to be started 5 years before development as stated in SS13 (vii) not less than 4 years before as implied in 3.62 p 56.

The council should clearly identify and justify the number of hectares of green belt arable land which will be lost to infrastructure for ST15 in addition to 139 Hectares in OS10.

The access for pedestrians and cyclists to ST15 should be alongside the proposed new vehicle access to the A64 with no access at all from ST15 onto Langwith Stray, Langwith Lane or Long Lane. This would enable the existing single track lanes used by residents, farm machinery and existing businesses to continue unobstructed, better protect the SSSI, minimize the number of different greenbelt sites that are disrupted by infrastructure, and ensure that important habitats for barn owls and bats are retained with minimal disturbance.

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

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## Retention of Information

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Signature

Richard Schofield

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

[REDACTED]

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**From:** Linda Newman [REDACTED]  
**Sent:** 04 April 2018 22:59  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan Publication Draft 2018 - Elvington, York.

## TO WHOM IT MAY CONCERN

I wish to strongly oppose the local development plan for 3000 plus houses at the Elvington Lane area of the Elvington Airfield. This airfield is regularly used by sporting activities, air displays, the caravan club meetings, and various functions. The present situation in Elvington is becoming unsustainable. Elvington is a farming village but the present rate of HGV's which pass through the village is making it more like a dangerous motorway. The infrastructure does not allow for further development. The main road through Elvington is narrow and has been severely damaged by HGV's, not to mention the danger it is putting on local residents. To even consider the development of thousands of additional houses would be intolerable. It would mean an increase of thousands of additional family vehicles using Elvington village.

Please consider residents views before making any final decisions.

Peter Newman  
[REDACTED]

Sent from my iPhone

**From:** jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk  
**Sent:** 04 April 2018 23:04  
**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: 105210

Date submitted: 04/04/2018

Time submitted: 23:03:31

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Thank you for submitting your Local Plan Publication Draft response form (ref: 105210, on 04/04/2018 at 23:03:31) 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:** Anthony

**Surname:** Dennis

**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?** 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:**

1. There exists ambiguity between national legislation and the Local Plan, as follows; HM Treasury's guidance on the use of the local authority assets states that 'the 'public sector holds financial, corporate and physical assets in the pursuit of policy objectives and not for its own sake or for the creation of profit. In pursuing policy objectives [...] public sector assessment of value is based upon the interests of society as a whole and is not an assessment of value to the public sector alone.'

However, since 2003 the Local Government Act has given councils powers to accept 'less than best consideration' of up to £2million below market value per transaction and £10million over a year (these figures will also need updating to reflect recent uplift in land valuations). But despite the leeway, the natural expectation that the Treasury expects councils to secure the largest cash receipt from the sale of land is not only an ambiguity but a major concern, one which the recent Housing White Paper (entitled, Fixing our Broken Housing Market) has picked up on. Clarify therefore, how The City of York Council intends to make transparent the conflicting requirements of being a 'not for profit' organisation and the 'best consideration reasonably obtainable',

surrounding the valuation of the land:

The above anomaly is also causing a conflict between paragraphs 158 and 173 of the National Planning & Policy Framework (NPPF), together with paragraph 11-16.

The draft Plan exacerbates the above anomaly by making no provision for a financial viability assessment report to be made available for the proposed developments and thus open to public scrutiny; thus revealing how a developer, or the Council, has arrived at the residual land value for its development (sometimes shortened to 'best value'), the profit margin obtained and how this has impacted the affordable housing allocation and the cost of the land available for the self & custom build groups.

2. The Local Plan is contributing to the Deprivation ranking discussed in the draft: The 'best consideration' requirement discussed in item 1 above presents a challenging environment for groups seeking to make the case for community-led and other affordable housing developments such as self-build, because they simply cannot be expected to compete on these terms. This is particularly more acute where the viability assessment report has not been made available or prepared in the first place. The Plan thus contradicts paragraphs 173 and 174 of the NPPF.

3. The Local Plan is in breach of paragraphs 159 and 158 of the NPPF: Despite significant changes to legislation encouraging the uptake of self & custom build housing in the UK, the Council appears to still be operating under outdated practices regarding its self and custom build housing policy (see policy H4 in the draft Local Plan);

4. The Local Plan creates a conflict between paragraph 158 and 174 of the NPPF and the use of Section 106 agreements for the provision of affordable homes: Under Section 106, or 'planning gain', developers are required to provide a certain proportion of affordable housing in developments of more than 10 homes, ranging from 35–50% depending on the local authority in question. Since Local Authorities have been pushed towards cross-subsidising affordable housing through Section 106 agreements it has made their role almost entirely dependent on new private development, effectively precluding the production of new affordable homes in periods or areas of low private development. Typically, the City of York Council is planning to include an allocation of 20% of the dwellings to affordable homes. Clarity is therefore sought as to whether this is a mandatory or aspirational target and the probabilities of the allocation being reduced due to the conclusions from a viability assessment?

5. Paragraph 155 of the NPPF points out that early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential: However, there would appear to be very little advertising for the Self & custom housebuilding register in accordance with statutory requirements and also paragraph 159 of the NPPF. Clarification is therefore sought within the Plan.

6. Further clarity is sought in the Plan to indicate how the Council intends adopt a proactive approach to support its 'One-Planet York' approach to development (see section 1.14) and the Achieving Sustainable Design guidance in the NPPF, including paragraphs 6-16, Section 10 of the NPPF (Meeting the Challenge of Climate Change) and Section 13 (The Sustainable Use of Materials); particularly in terms of the practical detail surrounding its sustainable development policy. A proactive Council would not leave this to a developer to initiate.

7. The Local Plan (Policy H2) may contradict paragraph 50 of the NPPF and paragraph 158: The allocated density of spacing per dwelling (yield) on developments within the Plan may contradict best practice. For example, the permitted number of dwellings allocated to the Lowfield Green development was increased from the original figure of 137 to 163 (an approx. 19% decrease in the allocated space per dwelling); forcing people into smaller and smaller spaces. Also, the change appeared to be at the expense of the self-build and co-housing communities (from which the additional 25 dwellings came from). Likewise, this has a negative impact on the flexibility and adaptability requirements outlined in item 8 below, affecting all dwellings.

8. The Local Plan may create a conflict between paragraph 50 of the NPPF and paragraph 158 and industry good practice, regarding the house design types put forward by the Council for addressing the demographics of the population (see also the SHLAA report): Industry good practice recommends that house design and house type layout should reflect the growing need for more flexibility and adaptability. Whereas the Council proposals have a tendency instead to

design each house type around a specific demographic, thus limiting the future use of the respective dwelling:

(source, Future Homes Commission).

9. The Local Plan will need to more adequately address the concerns of the local residents in terms of the impact that any potential piecemeal approach to construction of a development may bring; and thus be at risk of contravening paragraph 123 of the NPPF: Several different developers are likely to simultaneously be involved on any one site, all with their own build programme and different construction methods. For example, the Lowfield Green development involved 162 dwellings with the probability of a number of different builders, 6 plots for individual self-build persons, and 19 dwellings for a co-housing group. Additionally there was; a care home; a police depot; and a GP surgery. Therefore the subsequent construction programme would likely cumulate in an excessive need for, and duplication of, heavy vehicles, construction plant and a myriad of 'white-vans'; all needing to access a central urban site with narrow access roads, and extending over a several year period.

10. The Council is not using an up to date evidence base to inform the policies for the Local Plan, particularly as to how it may address the needs of the broken housing market; in accordance with paragraphs 156 and 158 of the NPPF. There is now a near unanimous consensus from the private sector, think tanks and housing professionals that housing in the UK is at a crisis point and even the Government supports this conclusion in its recent White Paper entitled, Fixing our Broken Housing Market. The draft remains silent on the following issues;

- (i) Put land back into economics and policy;
- (ii) Initiate changes to the national accounting processes;
- (iii) Instigate Planning Reforms;
- (iv) Initiate structural reforms to the banking sector and the creation of investment banks;
- (v) Take the lead role in the master planning and quality of build processes;
- (vi) Use the project to investigate more innovative ways to help fund the supply of housing;
- (vii) Use public land to tackle the housing crisis: Councils must aim for long-term stewardship of public assets to ensure the wellbeing of their communities.

Sources of reference; New Economics Foundation and the Future Homes Commission

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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 effective,not consistent with national policy

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

For reasons outlined in the legal response put forward above

**Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference:** Generally, throughout the document (see legal response above)

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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':**

To be read with the above response to the legal objections:

item 1. One way forward therefore, would be for the Council to ensure that a financial viability assessment report\* is made available for the developments within the Local Plan and be open to public scrutiny; thus revealing how a developer, or the Council, has arrived at the residual land value for its development (sometimes shortened to 'best value'), the profit margin obtained and how this has impacted the affordable housing allocation and the cost of the land available for the self & custom build groups.

\*In simple terms, the assessment takes the total costs of a project – construction, professional fees and profit – and subtracts them from the total projected revenue from selling the homes, based on current property values. What's left over is called the "residual land value" – the value of the site once the development has taken place, which must be high enough to represent a decent return to the landowner (or in this case, the Council); but with many developers expecting a 25% return, this may impact the allocation for affordable housing.

Note that it is often in a developer's interest to maximise its projected costs and minimise the projected sales values so as to make its plans appear less profitable; and thus reduce its allocation for affordable housing. Also, a crucial failure of the current system is that developers' viability assessments are regularly hidden from councillors and protected from public scrutiny on the grounds of "commercial confidentiality". However, these concerns have no credible grounds in practice as there are well-established build costs in the BCIS database; the standard industry tool that the construction sector relies on. Also, a quick Google search will reveal current sales values for the area (source of reference Pat McAllister, Professor of Real Estate at University College London).

Item 2. One way forward would be to make available the viability assessment report, see item 1 above. Likewise, address the anomalies within the Local Plan regarding its self & custom build policy (Policy H4), see also item 3 below and the suggested solution put forward.

Item 3. In support of paragraphs 186-187 of the NPPF; One way forward to address the anomaly, would be to formulate a new approach to Policy H4 with the support of the National Custom and Self Build Association's (NaCSBA) Right to Build Task Force. The Task Force are able to help Local Authorities, community groups and other organisations across the UK deliver medium and large, affordable custom and self-build housing projects, and will be able to give guidance on a suitable structure for the Policy. Note that, Policy H4 currently appears to adopt a 'scraps from the table' approach to the allocation of plots for self & custom build and co-housing schemes (5% above a set yield threshold, with caveats), which can then only be enabled through a hand-out from the main developer or volume house builder! Therefore, instead of self-build and co-housing schemes being encouraged and enabled to provide a healthy, pro-active contribution to the housing crisis, the Local Plan is unintentionally subverting it into a reactive, subservient role. For example, during the Lowfield Green development, out of 163 dwellings, the self-build community was allocated space for 6 dwellings (3.7% of the total); despite the benefits of the self-build approach and the fact that 50-80% of housing is delivered in this way in many other European countries (e.g. Germany, France, Austria).

Item 4. In support of paragraph 186-187 of the NPPF; It is no surprise therefore that the latest research shows that only one in five of the new homes forecast to be built on public land and sold off are likely to be classified as 'affordable' (source, New Economics Foundation). One way forward to address the anomaly, would be to make available a viability assessment report for the development within the Local Plan, similar to item 1 above, so that the residual land values and profit margins can be assessed in relation to the allocation of affordable homes.

Item 5. Provide adequate advertising for the Self & custom housebuilding register in accordance with statutory requirements and also paragraph 159 of the NPPF.

Item 6. Clarify how the Plan intends to meet its 'One-Planet-York' agenda;

(i) Does the scheme intend to meet its 'One-Planet York' requirements by gaining the Bioregional One-Planet Living Status for the whole site? If so this should be put forward in the Application documents. If not then how does it intend to provide for this?

(ii) It is unclear what benchmarks will be used to assess the standards of build quality and more importantly the life cycle performance of the dwellings including addressing solar overheating (see Section 7 of the NPPF, Requiring Good Design). For example, will use of the Building Energy Performance Improvement Toolkit (Bepit) assessment process be a requirement for the scheme? Additionally, although the Government has abolished the Code for Sustainable Homes, contrary to industry advice, the Building Research Establishment (BRE) has established a suitable replacement through the introduction of the Home Quality Mark. The standard may help to improve the quality of new homes built, especially with regards to comfort levels and energy bills. It will also help builders improve site processes to deliver better performing homes and reduce the risk of condensation and mould growth, excessive heat loss and failure to meet building regulations. Note that Building Regulations only require minimum standards and do not address the performance gap in dwellings; and must not be relied on to do so.

In support of paragraphs 186-187 of the NPPF and item ii; Better standards and quality marks for housing will not increase the cost of new homes: Volume house-builders advise that the introduction of new more demanding performance standards and the costs associated with these changes has already been factored in to the prices that they will have paid for new land acquisitions. In simple terms the more that it will cost a house-builder to construct new homes will usually lead to a corresponding reduction in the value of land (see 'residual land value' definition in item 1 above). This understanding brings into question the Government's decision to abandon the previously announced increases in performance standards as the effect has not been to reduce the overall cost of new housing but rather it has increased the price that could be paid for land for future development. Source; Offsite Housing Review 2013. Therefore, one way forward would be to produce a viability assessment for developments within the Plan, in accordance with

Paragraph 158 of the NPPF, see also item 1 above.

(iii) Any proposed plan layout within a developments should support paragraph 96 and 97 of the NPPF, which gives master planning guidance on landform, layout, building orientation, massing and landscaping of housing to minimise energy consumption; capturing adequate light and solar energy: For example, the roof line orientation should fully support the application of solar panels for the majority of the dwellings.

Item 7. In support of paragraphs 186-187 of the NPPF; Be aware that, typically the UK has the smallest allocated spatial footprint for its housing in Western Europe, which is an unacceptable statistic: A report from RIBA entitled, 'The Case for Space' highlighted that the size of new homes in the UK is well below that of Ireland (15% bigger), Denmark (53% bigger) and Germany (80% bigger) – and shrinking! Also, research by the Future Homes Commission (October 2012) outlined the reasons why people in the UK do NOT want to buy a new build house, or indeed any house built in the last 15 years; with the reasons as follows, not enough space in the rooms, not enough storage, not enough natural light, and not enough flexible spaces for changes in the household over time. Source RIBA and The Future Homes Commission. One way forward to address the anomaly, would be to revisit space allocations for the development in the Local Plan.

Item 8. In support of paragraph 186-187 of the NPPF; The Council has chosen to divide residents and their design requirements into simple categories such as single first-time buyers or parents with two children or elderly residents. However, generations of old, middle and young come and go in the household more frequently and less predictably as they move in and out of education, work and unemployment, or become too ill or frail to look after themselves. Therefore, one way forward would be through the provision of house type designs assimilating more flexibility and adaptability into a single design; allowing designs to be easily 'grown' at a later date with the introduction of additional elements as the owner's circumstances, and finances, dictate e.g. conservatory or additional bedrooms or an internal access lift (see also item 9 below, last paragraph).  
(source, Future Homes Commission).

Item 9. In support of paragraph 186-187 of the NPPF; One way forward would be to make more use of innovative approaches to construction such as the use of modular offsite housing (for the whole site, including any public buildings involved), which provides a route to designs that can be both flexible, affordable, as well as saving time and disruption on site; potentially reducing the build time by up to 50% and fully supporting the sustainability paragraphs 6-16, 63 and 65 of the NPPF. There is now a number of established firms that use pre-fabricated off-site manufacturing, as well as digitising their approach to the customisation of designs. This not only helps keep costs to a minimum but designs can easily be 'grown' at a later date with the introduction of additional elements as the owner's circumstances, and finances, dictate (for example, see the SNUG Home by Barton Willmore or Nu-Living by Pollard Thomas Edwards).

Item 10. In support of paragraph 186-187 of the NPPF; One way forward would be to consider the following evidence base;

(i) Put land back into economics and policy;

Many acknowledge that one of the key reasons for this crisis point in question is due to the role that land plays in the economy (by land I mean locational space); which also helps to explain many of the policy failures and problems that exist at a societal level, locally and nationally. They include the crisis in affordability of housing (the main use for land), rising inequality, financial instability, excessive household debt and falling investment and productivity levels, despite the veneer of increasing paper wealth created from mortgage equity within the nation.

Behind the rise in house prices relative to income is the fact that demand for housing in the UK, particularly since the mid-1990s, has grown far faster than supply. The main demand factors are higher average income per head and higher population, an ageing population, the deregulation of mortgage finance, lower mortgage interest rates, reductions in effective property taxes and

demand by foreign investors. During that period, subsidies, which had previously been more focused on the supply side, increasingly switched to the demand side, partly through housing benefit and partly through special measures designed to help selected groups into owner-occupation (for example, the rise in the national housing benefit bill to £24 billion in 2014-15 has been an obvious cost; affecting the budgets of Councils throughout the country).

(ii) Initiate changes to the national accounting processes;

The primary measure of government debt in the UK is 'public sector net debt'. The public sector comprises central government, local government (and many non-market bodies controlled and mainly financed by them) but also 'public corporations' that may be owned by the state but be at arm's length from it. This differs from other OECD countries, which exclude public corporations. This distinction is particularly relevant to the provision of affordable housing. The housing services activities of local authorities and their 'arm's length management organisations' fall under the definition of public corporations and therefore their financial liabilities are included in the public sector debt measure. The current UK government's focus on reducing the deficit as measured by public sector debt has therefore created severe restrictions on the level of investment in affordable housing by public corporations. One way forward therefore would be to measure gross government debt minus liquid and income generating assets, relative to national income and therefore debt could be matched by an increase in assets such as publically owned land and housing; changes that could potentially be instigated at the stroke of a pen in the Treasury. Likewise, it could also address the ring fencing constraints placed on the council's investment activity through the government's Housing Revenue Account (HRA) as there is a strong economic, as well as social case, for arguing that the government should be prepared to increase borrowing to finance a social and other housing programmes. The UK government can borrow very cheaply and such a programme would aid economic recovery, while supporting construction (note that for every £1 spent on construction a further £2.84 is received in economic output; source, ONS L.E K Analysis).

On that note, it is unclear how the recently announced Housing Infrastructure Fund and National Productivity Investment Fund would fit into this thinking and reorganisation (see Sajid Javid's, Secretary of State for Communities, announcement at the recent Local Government Association Conference in Birmingham). If it doesn't it will simply add to the problem not solve it.

(iii) Instigate Planning Reforms;

Because land is largely fixed and irreproducible, local monopoly power allows landowners to charge high rents ('economic rent'), while benefitting from the spillover effects of investment by others and of population and income growth on rental values. However, economic rent from land can be captured via changes to its use, its ownership and the way it is taxed. One way forward would therefore be to give Planning Departments a key strategic macroeconomic role and as such be controlled by larger public entities with the long-term interest of communities and regions in mind rather than left to private developers seeking to maximise short-term gains i.e. a proactive planning department not a reactive one. Stronger plan making, requiring better resourcing of public planning teams, could go a long way towards setting land values at levels reflecting social needs and priorities; Such as support for a healthy custom/self-build and co-housing sector. The Dutch and German housing sectors provide a good working example of how this can all come together in practice and also tend to have a much higher custom build allocation (around 50%), unlike the low proportion allocated for self-build in the Local Plan (around 5%).

(iv) Initiate structural reforms to the banking sector and the creation of investment banks;

Due to the diversion of finance into higher land prices via a liberalised banking sector, it has effectively increased the share of land relative to capital and labour; thus diverting investment from more productive areas and damaging productivity growth. It also shows up in the low quality and small size of new-build housing in the UK compared to the past and to other countries (latter, as discussed in item 7 above). The accumulation of household debt relative to income is a major constraint on future demand growth. Although mortgage credit liberalisation boosts consumption in the short term by lowering required down-payments, at given house prices, it also raises house prices. One way forward therefore would be to break the large banks up or set up investment

banks to attract the finance; such banks are common place in Europe and play a key role in funding both affordable homes and the large-scale infrastructure that is required for new housing development e.g. the European Investment Bank lent a record £5.6 billion for investment in forty affordable housing projects in the UK last year (with future lending now under threat due to Brexit). It may be that Sajid Javid has tried to address this via the creation of the above funding schemes, but unless some joined up logic is applied to the initiative it will go the same way as most of the other initiatives have done in the past and simply compound the problem.

(v) Take the lead role in the master planning and quality of build processes;

The Council possesses all of qualities required to act as the full enabling and delivery authority for house building projects: It has the geographical reach, democratic accountability, multiagency approach, low housing debt profile, good income streams, access to land and control over planning decisions; and a key agent for the driving of new innovative and sustainable ideas. One way forward to support the Council in meeting some of these objective would be to seek the help of NaCSBA's Right to Build Task Force (see also item 3 above).

(vi) Use the project to investigate more innovative ways to help fund the supply of housing;

For example, pension funds can provide a huge source of potential funding for house building and, more specifically, local authority pension funds are a good fit for the housing sector. The eighty nine funds of the Local Government Pension Scheme collectively hold £178bn of assets, making them one of the EUs largest pension schemes and it is part of this money that RIBA suggests using to fuel a surge in house building in every city, town and village in Britain (as an example, see Manchester City Council's approach). Funding can thus also be provided to finance housing projects such as self and custom build. Note that institutional investors are actively looking to the housing market as a robust and long-term investment option and there is a willingness to look at lower, but more stable returns. This is a direct result of the global financial crisis and it would not be prudent for government and Local Authorities to ignore this desire from the private sector, as well as public sector pension funds, to invest in housing. For example, over the last 20 years the total returns from US apartment investments have exceeded 9% a year, outpacing all other property sectors.

(vii) Use public land to tackle the housing crisis: Councils must aim for long-term stewardship of public assets to ensure the wellbeing of their communities. Priorities might include:

- Ensuring that the One Public Estate agenda is improved to promote a joined-up strategy for public authorities to keep the freehold of sites in public or community ownership, or as a long-term equity stake which allows local authorities to ensure that any homes built are designed to meet the needs of local residents. This could mean setting up partnerships with community-led and other not-for-profit projects before land is listed as surplus.
- Promoting restricted-sale tenures on developments on public land, or a proportion of it, that give occupiers full ownership rights but restrict the value at which they can sell their homes when they choose to do so. Such models have been pioneered by community land trusts and are useful for providing below-market home-ownership while ensuring that any discount or subsidy is preserved for future occupiers, rather than being captured by the lucky first beneficiary.
- Amending compulsory purchase legislation so that councils can acquire land at closer to its existing-use value, rather than future market value, and so provide more sites at a cost suitable for affordable housing. This could be achieved by ensuring that decisions take account of the full weight of planning policy compliance and are flexible on the profit entitlement for developers.
- Creating strong public mandates for better developments, made possible by the government's commitment to open up and improve Land Registry data.

(viii) The Council should set up a process to form more cost effective supply chains for the self-build and co-housing communities enabling their better uptake through more effective buying power;

Evidence collected by the Local Government Association's Housing Commission demonstrates that it is cheaper for local authorities to build new build properties, compared to the costs for, say, housing associations. This would pave the way for 'trade discounts' with the supply chain for members of the group (with invoices addressed to each member – so that each person can reclaim their own VAT). This would be similar to the practices of the professional house-builders,

who have evolved spectacularly cost effective supply chains and are probably the most efficient in any sector of the construction industry – not just in the UK but in most advanced economies.  
(ix) Set up a dispute resolution mechanism early on to support group build projects in their dealings with differing viewpoints and community relations: Community and self-build groups undertaking a project need a principle of how to address differences of opinion that is beyond a normal vote procedure, such as a conflict resolution policy. It is very easy in large groups for some to feel not listened to or hard done by, resulting in energy wasted resolving an internal problem rather than getting on with the project.

Sources of reference; New Economics Foundation and the Future Homes Commission

**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:** Linda Newman [REDACTED]  
**Sent:** 04 April 2018 23:14  
**To:** localplan@york.gov.uk  
**Subject:** City of York Local Plan Publication Draft 2018 - Elvington, York.

## TO WHOM IT MAY CONCERN

I wish to strongly oppose the local development plan for 3000 plus houses at the Elvington Lane area of the Elvington Airfield. The airfield is regularly used by sporting activities, air displays, the caravan club meetings, and various functions. The present situation in Elvington is becoming unsustainable. Elvington is a farming village but the present rate of HGV's which pass through the village is making it more like a dangerous motorway. The infrastructure does not allow for further development. The main road through Elvington is narrow and has been severely damaged by the HGV's, not to mention the danger it is putting on local residents. To even consider the development of additional houses would be intolerable. It would mean an increase of thousands of additional family vehicles using Elvington village.

Please consider residents views before making any final decisions.

Linda Newman  
[REDACTED]

Sent from my iPhone

[REDACTED]

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**From:** Cllr. I. Cuthbertson  
**Sent:** 04 April 2018 23:32  
**To:** localplan@york.gov.uk  
**Subject:** Response to Publication Draft 2018  
**Attachments:** 180404 IC Response to Publication Draft.docx; 180404 IC Comments Form - Publication Draft.docx

Please find attached my completed response form and an accompanying letter relating to the soundness of the Publication Draft Local Plan.

Regards

Ian Cuthbertson

Cllr Ian Cuthbertson  
Liberal Democrat Councillor - Haxby & Wigginton Ward City of York Council

[REDACTED]

**FREEPOST RTEG-TYYU-KLTZ**  
Local Plan, City of York Council,  
West Offices, Station Rise,  
York, YO1 6GA

**Cllr Ian Cuthbertson**  
**Liberal Democrat Councillor - Haxby & Wigginton Ward**



Dear City of York Council,

I am writing to provide my feedback as a local Ward Councillor for Haxby & Wigginton Ward and to outline my support for the Local Plan Publication Draft 2018.

As a resident and Councillor in York, I believe it is imperative that the Authority submits a plan which directly addresses the local pressures in our housing market yet, at the same time, guarantees the protection of the greenbelt and York's natural beauty. This latter aspect was a key issue in the 2015 Local Elections and the Local Plan Publication Draft reflects the City of York Council joint administration's determination to reflect what the citizens of our city have told us.

Overall, my judgment is that the City of York: Local Plan Publication Draft, Policies Map, Sustainability Appraisal and Strategic Environmental Assessment are 'sound' documents. Moreover and more specifically, I believe that the following principles established in the publication draft of the Local Plan are crucial for the future development of York:

- The plan gives good protection of York's Greenbelt, protecting our unique City.
- Given that population figures are predicted to be lower than estimated by the Government, the plan provides enough houses for the people of York.
- From delivering roughly 500 houses per annum, to nearly 1000 house per annum, I believe that through the housing delivered under the plan, affordability will be improved in York.

While I believe that the current iteration of the Local Plan will benefit the vast majority of wards across our City in many ways, it seems to me that the proposal to construct an additional 735 dwellings for Haxby & Wigginton Ward at site ST9 (see policy SS11, pp 49-51) is likely to create more problems in terms of providing new/upgraded infrastructure of all kinds, addressing traffic access problems at two key junctions, and the birth of a secondary 'small' new village at some distance from the existing main thoroughfare in Haxby (Station Road/The Village/Mill Lane) - all of these are likely to exacerbate problems of loneliness and social isolation (already evident in our increasingly elderly population) rather than helping solve them. Perversely, the intuitively 'obvious' solution of siting this development to the north of Haxby and away from York's urban core seems likely to lead to more problems with traffic and air quality because of the need to dissipate trips originating in/ending at ST9 either through Haxby or through Wigginton. I hope, therefore, that the proposal for development at this site will be examined both carefully and thoroughly

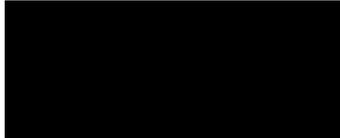
Despite my remarks about the proposals for Haxby and Wigginton, across our City, I am confident that, with the publication draft of the Local Plan, York will be able to provide sustainable development across the City and deliver a balance between providing new homes and delivering more employment, whilst protecting the City's special character.

Above all, throughout this stage of the Local Plan process, it is essential that the people of York remain firmly in control of the matter and are thus able, ultimately, decide on the future of York itself.

**Cllr Ian Cuthbertson**

**Liberal Democrat Councillor – Haxby & Wigginton Ward**

**Signature:**

A solid black rectangular box redacting the signature of the councillor.

**Date: 4<sup>th</sup> April, 2018**

# 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	Ian	
Last Name	Cuthbertson	
Organisation (where relevant)	City of York Council	
Representing (if applicable)	Haxby & Wigginton Ward	
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)

## 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 accompanying 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)

<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.

Overall, I believe that the document meets the tests for soundness shown above. I make further comment (not affecting the soundness of the Plan) relating to the proposal to develop 735 houses to the north of Haxby at site ST9, see policy SS11 on pp 39-41 of the Local Plan proposals document in the accompanying 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.**

I am not seeking changes to the Local Plan Publication Draft.

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 do not believe that my participation is 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.

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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



Date: 4<sup>th</sup> April 2018

4<sup>th</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

**From:** chris wedgwood [REDACTED]  
**Sent:** 04 April 2018 23:34  
**To:** localplan@york.gov.uk  
**Subject:** Local Plan Regulation 19 Consultation Response  
**Attachments:** Reg19Response.pdf; SAVE\_WINDMILL\_LANE\_PLAYING\_FIELDS-1887694.pdf; AttachedEvidence.pdf; Reg19Form.zip

Dear CYC

Please find my response to the Regulation 19 Local Plan Consultation attached.

Docs included.

Regulation 19 response  
Additional Attached evidence file  
Save Windmill Lane Playing Fields Planning evidence base  
Official response form.

Regards  
Mr C. Wedgwood

On Tuesday, March 27, 2018, 5:49:44 PM GMT+1, localplan@york.gov.uk <localplan@york.gov.uk> wrote:

Dear Chris,

Thank you for your email. We will review your representation as included in the general and housing summary documents published online. We are happy to amend this prior to submitting the information for Examination to refer to your point specified below included in your original representation to the Regulation 18 consultation. The revised summaries will be available in due course on our website and we will endeavour to notify you when the changes have been made.

For clarity, only comments received through the current Publication draft Local Plan consultation will be considered directly by the Planning Inspector. Consultation finishes on the 4<sup>th</sup> April at midnight. Should you wish this issue to be directly considered by the appointed Planning Inspector, please use one of our response methods stated on our website: [www.york.gov.uk/localplan](http://www.york.gov.uk/localplan).

I trust this satisfies your query below.

Regards

Alison

**Alison Cooke | Development Officer  
City of York Council | Strategic Planning**

Directorate of Economy and Place | West Offices | Station Rise | York | YO1 6GA

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**From:** chris wedgwood [mailto:[cwedgwood50@yahoo.com](mailto:cwedgwood50@yahoo.com)]  
**Sent:** 25 March 2018 13:57  
**To:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk)  
**Subject:** Re: My Objections To The Local Plan

Dear CYC,

Addendum. This complaint specifically relates to site 138/H56/E15, York St. John playing fields/Windmill lane Playing Fields/ Land off Hull Road, or whatever else you want to call it to confuse people further.

Regards

Mr. C. Wedgwood

On Sunday, March 25, 2018, 1:49:15 PM GMT+1, chris wedgwood <[cwedgwood50@yahoo.com](mailto:cwedgwood50@yahoo.com)> wrote:

Dear CYC,

Thank you for providing my reference ID.

I can confirm that in my Regulation 18 response I made a specific objection that the site does not pass the site selection criteria because it is existing open space. I notice this was also mentioned by Cllr Barnes in his Reg 18 objection.

You have not included this objection in the Pre-Publication (Regulation 18) Consultation Statement which you have provided a link to in your reply. This document claims to include a summary of all objections made to the Reg 18 consultation. It is clearly an error on your part not to have included this objection within that document.

Please add this objection to the Pre-Publication (Regulation 18) Consultation without delay.

Should you refuse to correct your mistake please consider this to be a formal complaint to be handled under the 3 stage complaints procedure.

Regards

Mr C. Wedgwood

---

**From:** "[localplan@york.gov.uk](mailto:localplan@york.gov.uk)" <[localplan@york.gov.uk](mailto:localplan@york.gov.uk)>  
**To:** 'chris wedgwood' <[cwedgwood50@yahoo.com](mailto:cwedgwood50@yahoo.com)>  
**Cc:** "[localplan@york.gov.uk](mailto:localplan@york.gov.uk)" <[localplan@york.gov.uk](mailto:localplan@york.gov.uk)>  
**Sent:** Thursday, March 1, 2018 3:37 PM  
**Subject:** RE: My Objections To The Local Plan

Dear Mr. Wedgwood

My apologies in the delay in responding to your email. I trust the following is useful in relation to your query regarding consultation comments.

Your unique ID reference is: ID 13594.

As you are aware, you will be able to see how we have processed your response using our 'Local Plan Consultation page'. This page provides details of how to view your submitted consultation response in full and how we have summarised the information (in the summaries).

[https://www.york.gov.uk/info/20051/planning\\_policy/713/new\\_local\\_plan\\_consultation](https://www.york.gov.uk/info/20051/planning_policy/713/new_local_plan_consultation)

A further summary of all of the information is also included in the Pre Publication (Regulation 18) Consultation Statement available to download via the following link: [https://www.york.gov.uk/downloads/file/15329/local\\_plan\\_pre\\_publication\\_regulation\\_18\\_consultation\\_statement\\_2018](https://www.york.gov.uk/downloads/file/15329/local_plan_pre_publication_regulation_18_consultation_statement_2018)

Please contact us should you have any further queries via [localplan@york.gov.uk](mailto:localplan@york.gov.uk) or 01904 552255.

Regards,

Alison

**Alison Cooke | Development Officer**  
**City of York Council | Planning and Environmental Management**

Directorate of Economy and Place | West Offices | Station Rise | York | YO1 6GA

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**From:** chris wedgwood [<mailto:cwedgwood50@yahoo.com>]

**Sent:** 21 February 2018 12:08

**To:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk)

**Subject:** Fw: My Objections To The Local Plan

Dear CYC,

I have still not received my Unique ID number from you which I requested below on 13 Feb 2018.

I believe that you have excluded important objections from your summary of objections received in the Regulation 18 consultation and it is making it difficult for me to check the record without knowing this ID number. I note your website says you will supply this number when asked for it. I asked for it, but it has not been provided.

It is a required stage that the Local Plan is put to a GENUINE Regulation 18 consultation. This does not appear to have been done in this case.

Regards

Mr C Wedgwood

----- Forwarded Message -----

**From:** chris wedgwood <[cwedgwood50@yahoo.com](mailto:cwedgwood50@yahoo.com)>

**To:** "[localplan@york.gov.uk](mailto:localplan@york.gov.uk)" <[localplan@york.gov.uk](mailto:localplan@york.gov.uk)>

**Sent:** Tuesday, February 13, 2018 4:56 PM

**Subject:** My Objections To The Local Plan

Dear CYC,

Please could you tell me what ID number you have assigned to my Regulation 18 consultation responses?

I note that you have now made the consultation responses available via the planning portal. I can see 1056 documents in the planning portal but most do not include names next to them just an id number. This number differs from the numbers given by your online form confirmation email so there is no way for me to check that you have recorded my objections correctly without trawling 1056 pdf documents which is totally unreasonable.

My objections were submitted using the online form and by email. The submissions via the online form gave me the following receipt numbers for my submissions:

100855

100869

100875

I am concerned that you do not seem to have recorded some of the objections that I have made against the local plan consultation in the report which was presented to the Local Plan working group. The report you put forward is therefore not a complete record of the consultation responses.

In particular my objection that the site does not pass the site selection criteria, which it fails at part 1.2 for being existing open space and is ineligible to be included in the local plan, was submitted to you as part of the Regulation 18 consultation and has been entirely omitted from your summary of responses, Annex A.

Regards

Mr C Wedgwood

\*\*\*\*\*  
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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# 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

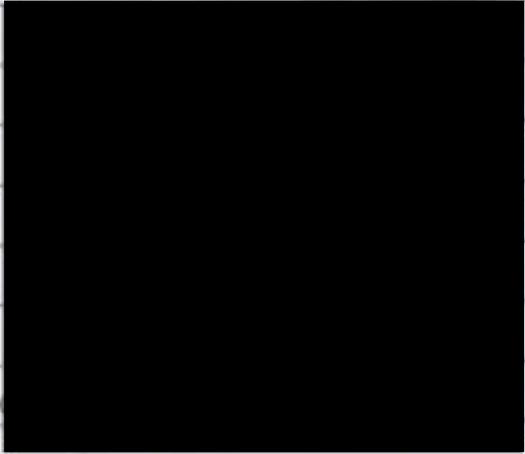
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	CHRIS	
Last Name	WEDGWOOD	
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		

# 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 documents

## 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

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



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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.

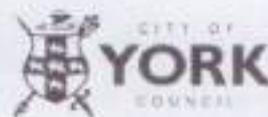
Site Ref.

**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 documents

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.

Allocation Sites must be Selected in accordance with Site Selection Methodology.  
Green Belt land must be assessed against ALL 5 functions of Greenbelt in NPPF 80.  
Greenbelt boundary must be Fully defined to the same level of Precision for both outer and inner boundary.  
The defensibility of land on the border of the greenbelt should be assessed and used to Justify a boundary which could endure beyond the Plan Period. 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:

COMPLEXITY OF THE ISSUES

**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

03/04/2018

<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

## **Objections to Evidence Base**

### **2014 Open Space and Green Infrastructure Report**

This document did not address true accessibility of sporting provision in the PPG compliant manner of the 2008 Open Space Study. It defined another measure of accessibility but excluded the situation where a facility is not available because the landowner refuses access.

It does not matter how close or how good sports facilities are if you are not allowed to use them.

The result of this change in assessment measure was that Heslington went from a deficit of open space to a large surplus as the University of York campus was then included.

It is clearly the case that if the public are prevented from accessing a facility it is not accessible and this is how the PPG17 compliant study assessed it in 2008.

**Reason for objection:**

**Not Justified**

**Appearance at examination : Yes**

**Reason for appearance: Complexity of the issues**

### **2017 Open Space Green infrastructure Report Update**

This document seeks to claim that the sporting catchment areas has changed because of a electoral boundary change. This is not so.

The 2014 Open Space and Green Infrastructure report made clear these were based on the geography of the area.

Whilst there has been some attempt to display data in a form that tallies with the ward boundaries the catchment areas are not determined by the ward boundary.

The result of this is that the large surplus of inaccessible land at the university has been pushed over into Hull Road ward and reported as a large surplus of open space.

This is particularly perverse as the 2014 report pointed out that Hull Road ward had a particular shortage due to rapid development taking place in recent years.

**Reason for objection:**

**Not Justified**

**Appearance at examination : Yes**

**Reason for appearance: Complexity of the issues**

## **Objections to Policies in the Publication Draft Local Plan:**

## **Policy SS2 - Objection**

The Green Belt policy put forward in the Publication Draft Local Plan is not consistent with National Policy on the Green Belt and is not supported by a robust evidence base.

The NPPF states that, "The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open."

NPPF s80 lists 5 functions of Green Belt which are required to fulfill this aim.

The Publication Draft Local Plan states:

"In this Local Plan the Green Belt's prime purpose is that of preserving the setting and special character of York.

The Publication Draft Local Plan has given full weight to this 1 function of Green Belt and neglected the other 4. The NPPF does not state any primacy between the 5 functions in s80 and all of them are equally necessary to fulfill the NPPF's fundamental aim of preventing urban sprawl.

The general extent of Green Belts across the country is already established.

Once established, Green Belt boundaries should only be altered in exceptional circumstances.

The Exceptional circumstances test cannot be met where the resultant outcome would be a perverse and irrational Green Belt boundary. (See also response to DP1)

Land should not be removed from the Green Belt where that land continues to serve Green Belt function under NPPF s80, unless there is an evidenced need to remove land from the Green Belt to meet proven local need. In such circumstances land must be brought forward in a managed way with regard to the value of keeping the land open.

This can only be fairly achieved through a complete evaluation of all reasonable alternatives against all 5 functions of Green Belt in NPPF 80.

The proposed alteration of the Green Belt boundaries in the Publication Draft LP will result in the removal of some land from the Green Belt (such as Site H56) which can be evidenced to fulfill Green Belt function without, consideration of the need to keep that land open.

There are no special circumstances which could render this removal of land from the Green belt acceptable.

The evidence base put forward to support the Green Belt Policies in the Publication Draft Local Plan does not assess all 5 functions of Green Belt in NPPF 80. It has previously been

considered by the SOS in called in planning applications as unable to be used to justify the removal of any piece of land from the Green Belt previously identified in a NYCSP. It is certainly not a sound evidence base to use to justify a revision of the entire Local Plan Green Belt boundary.

**Reason for objection:**

**Not consistent with National Policy & Not Justified**

**Appearance at examination : Yes**

**Reason for appearance: Complexity of the issues**

### **Policy DP1 York Sub-Area - Objection**

The wording of part viii is problematic;

"viii. A Green Belt is defined around York which will safeguard the special character and setting of the historic city, the outer boundary of which will be about 6 miles from the city centre."

The words "historic city" should be replaced with 'City of York' to avoid confusion stemming from geographical areas defined in the heritage topic paper. This policy must apply equally to all of the plan area and not just to the area inside the city walls.

The RSS revocation order required that detailed boundaries were drawn up in the Local Plan for both the inner boundary and the outer boundary of the Green Belt.

The present plan provides a detailed inner boundary but does not provide a detailed outer boundary.

If the inner and outer boundaries are defined with differing levels of precision it will lead to a fundamental unfairness. This will prioritise the removal of land from along the inner boundary without consideration of all reasonable alternatives, including land along the outer boundary. This situation is perverse.

In setting the Green Belt boundaries, the Local Authority must have regard to the openness and the permanence of the Green Belt and ensure the boundaries will endure beyond the plan period.

If the issue of the precise outer boundary of the Green Belt is not addressed by this Local Plan it will remain to be addressed by the next Local Plan. This will require a revision of the outer boundary. As such the Publication Draft Green Belt boundary can not be expected to endure beyond the plan period.

**Reason for objection:**

**Not consistent with National Policy & Not Justified**

**Appearance at examination : Yes**

**Reason for appearance: Complexity of the issues**

**Policy GB4 'Exception' Sites for Affordable Housing in the Green Belt - Objection**

This policy is not consistent with National Policy on the Green Belt.

All new buildings are inappropriate in the Green Belt unless they can be shown to fulfill one of the exemptions in NPPF 89/90. [See R (Timmins) v Gedling Borough Council & Westerleigh Group [2015] EWCA Civ 10]

S89 allows for "limited affordable housing for local community needs". It does not make any other type of development acceptable.

Policy GB4 puts forward a case that Market housing would be acceptable in the Green Belt in conjunction with affordable housing.

The NPPF exception relates specifically only to affordable housing not to the full extent of any development which includes some affordable housing and some not affordable housing.

Housing which is not "affordable housing" does not satisfy any exception in NPPF 89/90 and so must remain inappropriate development in the Green Belt.

Any development which includes some affordable housing and some housing which is not affordable housing must include some inappropriate development in the Green Belt.

Such development would constitute substantial harm.

**Reason for objection:**

**Not consistent with National Policy**

**Appearance at examination : Yes**

**Reason for appearance: Complexity of the issues**

**Policy GI5 Protection of Open Space and Playing Fields - Objection**

Object to the wording "in the area of benefit"

NPPF s74 uses the words "in a suitable location"

Policy GP7 of the Development Control Plan shows that in the local area a "suitable location" means "the immediate vicinity".

2014 Open Space and Green infrastructure report based its assessment of suitable location on a local standard derived from the Fields In Trust(FIT) Toolkit which is a best practice assessment methodology. This stated that replacement playing fields must be within 15 minutes walk.

The problem with the test in GI5 using the term "area of benefit" is;

-firstly it is difficult to define where the area of benefit is. It will always be subjective. If a playing field hosts away games is the area of benefit beyond the city? Will the council compile data on who uses a playing pitch for objective assessment or will the word of the land owner be enough? In any event the users of a playing field will be fluid over time. This uncertainty of the wording will result in severe ambiguity at every planning application which relies upon this definition. This will make the policy unusable in practice.

-Secondly the latest wording has replaced the objective standard established in the 2014 Open Space and Green infrastructure Report but has not provided any evidence as to why it should do so. The evidence continues to support the wording that was previously used.

-Thirdly replacing within the area of benefit assumes a level of homogeneity in the benefit of the facility being located anywhere inside the area of benefit, but this is not necessarily so. There will always be benefits to the public of having open space and playing fields located close to residential areas which will usually result in a greater benefit of locating a replacement facility in the immediate vicinity of the original site. Since the distribution of open spaces are also recognised as important to the character and setting of the city this must also be a factor when assessing if a replacement facility is in a 'suitable location'. A suitable location is not just a suitable location for the formal sporting use. This points to the 'immediate vicinity' being the correct measure of assessment for all groups which would be affected.

The city wide shortage of playing fields is resulting in people needing to travel further to find a facility to play at. This taken in conjunction with the wording of "area of benefit" will result in facilities being closed and replaced miles away in completely unsuitable locations (as assessed by any other reasonable measure).

In addition I object to the wording:

"This could be rectified through re-designation of any current surplus facilities in the area of benefit."

This is ambiguous and adds nothing to the meaning of the policy, so should be removed.

The policy is not based on robust evidence and is not consistent with national policy.

**Reason for objection:**

**Not Consistent with National Policy & Not Justified**  
**Appearance at examination : Yes**  
**Reason for appearance: Complexity of the issues**

**H1 Housing Allocations:**

**H56 Land off Hull Road - Objection**

H56 is the result of an illegal subdivision of a larger playing field site in violation of The Town and Country Planning Order 2015. This subdivision results in the loss of part of a Playing Field.

Allocation site H56 represents only part of the appropriate planning unit.

It would, be perverse to allocate part of a planning unit within the LP without consideration of the whole of that planning unit.

Site H56 is 4 Ha in area.

It was originally submitted to FSC as site 138 'York St John Playing Fields'.

Site 138 is 4.7 Ha in area.

The correct lawful test for establishing the planning unit was established in [Burdle and Williams v Secretary of State for the Environment and New Forest District Council [1972] 1 WLR 1207.]

The use of the adjacent car park is solely subservient to the use of the playing fields and should also be included in the same planning unit.

After the car park is added the land is approximately 5.01 Ha in area.

A site over 5Ha in area should be evidenced as a 'strategic site' within the local plan.

The lawful use of the entirety of the appropriate planning unit is as a Playing Field.

The planning definition of playing field as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595) is the whole of the site that contains a pitch.

The entirety of the planning unit is shown as Open Space in the Development Control Plan.

The entirety of the Planning Unit meets the NPPF definition of Open Space.

Whilst the NPPF has replaced PPG17, the NPPF does not include a replacement open space topology. Any land shown to be open space of value by the PPG17 topology must also be

classed as open space when assessed against the NPPF; Since it includes ALL open space of value.

The planning unit consists of;

- a) Dense, mature tree belts to the North, East & South West which are the remains of Mill Plantation and characteristic of the area. These are protected by TPO's.
- b) The historic 1930's sports pavilion buildings which meet the definition of Non-Designated Heritage asset within the Character 61 assessment.
- c) 3 Football pitches
- d) Area of land to the western boundary previously used as a football pitch but presently not marked out.
- e) Car park for the playing fields

PPG17 encourages a primary use but acknowledges that land may have secondary use also. The entirety of the site serves a primary use as a Playing Field.

If the playing field designation were to be removed the land would still fulfill secondary open space uses under PPG17 and should be retained as open space.

Playing Field land may only be removed from Open Space in accordance with the provisions of NPPF s74:

“74. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
  - the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
- ”

Technical Officer Assessment at FSC states:

“The site is an existing Playing Field. The city is short of playing pitches. We know there are organisations in the city who would like to acquire this land for playing field. Sport England would object to its loss. ”

The community has also reached out to sports clubs in the local area and compiled evidence of clubs who would either like to use the playing pitches, have tried to use them previously but been told they were not available and organisations who were interested in buying the playing fields and retaining their use for sport. This strongly reaffirms the evidence of demand the LA already had.

This shows that the first test in NPPF 74 has not been met.

Technical Officer Assessment at FSC states:

“It is proposed that YSJ will relocate all university provision to Haxby Road. Evidence submitted which questions community demand for the provisions at Hull Road. The CYC playing pitch strategy indicates under provision of pitches. The proposed replacement pitches were already identified as pitches, so no net gain. CYC has evidence to prove there is community demand and interest in retaining the pitches. ”

The LA state they have a letter from Sport England from FSC that says the replacements are of sufficient quantity. This is not the most recent communication with Sport England on the matter. CYC initially failed to notify Sport England that much of the site they had identified as replacement playing fields were already existing playing fields and not a true replacement. It is highly misleading that CYC seek to rely on an old letter that they know not to represent the true situation as it is now known to be.

A small area of additional new land (which was not already Playing Field) has been added to the north of the Eastern part of Haxby Road. This land is 2.51 Ha in area.

In terms of area of land:

2.51 Ha is insufficient land to replace 4 Ha of Site H56

2.51 Ha is insufficient land to replace 4.7 Ha of site 138

2.51 Ha is insufficient land to replace approx 5.01 Ha of the whole planning unit of the Playing Fields at Hull Road.

YSJ has built 2 artificial 3G football pitches on the new land at Haxby Road.

It is accepted that an artificial pitch will have a slightly greater carrying capacity than a natural grass pitch but even so 2 artificial pitches would not be equivalent to 3 natural grass pitches on the Hull Road site.

The following factors must also be taken into consideration:

The same 2.51 Ha site at Haxby Road has been double counted in the Local Plan and is also being used to justify the removal of 1 artificial football pitch at Heworth Croft.

Evidence from the CYC Built Sports Facilities Strategy shows that 1 of the pitches at Haxby road was expected to be reserved for academic teaching and is therefore unavailable to replace any sporting facilities elsewhere.

[https://www.york.gov.uk/download/downloads/id/1849/built\\_sports\\_facilities\\_strategypdf.pdf](https://www.york.gov.uk/download/downloads/id/1849/built_sports_facilities_strategypdf.pdf)  
“6.14 York St John University have submitted a planning application for the development of two 3G pitches on the former Nestle sports fields on Haxby Rd. The information above and the responses to the club and NGB consultation (details below) have indicated that there is, or will shortly be a demand for an additional 3G pitch (or the equivalent of one additional pitch during peak periods). The project is being developed in partnership with community clubs, the FA and City of York Council sport and active leisure officers. While there is no evidence here to indicate that there is or will be a demand for two pitches within the next ten years, it is clear that much of the pitch use will be for academic teaching and sports science. It may therefore require both pitches to meet the community demand if community access is to be restricted during the peak period.”

Newer evidence shows that due to increase in demand for YSJ courses needing 3G pitch access the second pitch was altered to 3G (instead of sand based) because both pitches at Haxby road are now needed for academic teaching. (evidence attached)

It is clear that by any measure the new Haxby Road pitches do not represent a genuine replacement for the quantity of pitches to be lost at the Playing Fields on Hull Road. This then fails the second test in S74 NPPF.

The facilities at Haxby road are also approximately 4km away and take the best part of an hour to reach on foot. It takes a similar amount of time to reach by public transport since there is no direct bus route.

The 2014 Green Infrastructure report adopted the Fields in trust recommended distances to playing pitches. This states that football pitches should be within about 15 minutes walk. Clearly Haxby Road is well in excess of this requirement.

Policy GP7 within the DCP states that replacement facilities must be in the ‘local vicinity’. This is presently a material consideration for planning.

The present publication draft LP seeks to alter the wording of this to only cater for the sporting users of the site. This is not a policy based on evidence and I object separately to this policy.

Given the evidence above the Haxby Road facility is not in a ‘suitable location’. This would also fail the second part of NPPF S74.

The 3rd test in NPPF S74 does not apply since the proposed development is not for sporting use.

H56(and it's planning unit) does not pass ANY of the 3 tests in NPPF S74 so can not be lawfully removed from open space. The only lawful use of the land remains as a playing field.

The entirety of the planning unit fails to meet the NPPF definition of Previously Developed Land, since the site satisfies the exemption criteria of land within a Recreation Ground.

Council assessments on this site have wrongly stated that this land is Mixed Greenfield/Brownfield.

No part of the planning unit can be Brownfied, since no part of the land is Previously Developed Land. Therefore the site cannot be considered mixed Greenfield/Brownfield.

The entirety of the planning unit is located in the Green Belt when assessed against the Statutory Development Plan.

The Statutory Development Plan currently consists of the 2 saved policies of the RSS which were adopted in 2008.

This defines the outer boundary of the Green Belt to be at about 6 miles from York and the inner boundary yet to be defined in local Plan.

The entirety of the planning unit is shown to be within the Green Belt by the 1991 Green Belt Local Plan which has been reviewed previously by the Inspector and in the post modification 1995 version.

The Northern boundary of H56 is Hull Road in the built up area of inner York.

The Southern boundary of H56 is the boundary of Heslington Parish.

Any development on site H56 will result in the coalescence of these 2 very different areas.

Nearby site 'Ponds Field' has been removed from the LP for this same reason. Site H56 should not be treated any differently.

The Heslington Village design(HVDS) Statement is adopted by the LA as Supplementary Planning Guidance to be used alongside the DCP.

[https://www.york.gov.uk/downloads/file/3239/heslington\\_village\\_design\\_statementpdf](https://www.york.gov.uk/downloads/file/3239/heslington_village_design_statementpdf)

The Heslington Village Design Statement specifically identifies the Playing Field as forming part of a Green Wedge which is required to be kept open to protect the rural character of the Village.

The LA argument that H56 is not shown as Green Belt in the 2003 Greenbelt Review or its updates is flawed for 2 reasons;

- a) The playing fields have been excluded in error. The evidence that they should have been included is the Heslington Village Design Statement and this was known to be in the possession of the council at the time of the DCLP being approved for use.
- b) The 2003 Greenbelt review was not an assessment of all 5 Functions of Greenbelt within NPPF 80. This has not been rectified by the more recent updates to the document which only look at specific sites and do not conduct a full review. This has been assessed by the inspector in various called-in planning applications and found not to be a sound basis to exclude any land from the Greenbelt.

Part 1.2 of the Local Plan Site Selection Methodology states that 'if a site is existing open space, site does not go forward'.

Site 138 was assessed against the site selection criteria at FSC and failed at part 1.2 for being existing open space.

Site H56 has not been assessed against the site selection criteria but if it were assessed against the site selection criteria it would fail at part 1.2 for being existing open space.

If the entirety of the planning unit were to be assessed against the site Selection Criteria it would fail at part 1.2 for being existing open space.

It must be noted that H56 is not merely 'a site which contains open space'. It is a site which is open space in its entirety.

Other sites have been removed for failing part 1.2 of the site selection. These sites must be considered to be reasonable alternatives which H56 has not been considered against.

Since H56 is located in the Green Belt, other sites in the Green Belt should have been considered as reasonable alternatives to site H56.

The proposed development is for housing. Housing is inappropriate development in the Green Belt resulting in Substantial Harm.

No case has been made for any special circumstance which would be capable of outweighing the harm to the green belt and any other harm.

A number of sites in the green belt were identified as Safeguarded land at an earlier stage of the LP.

At this time, site H56 was neither allocated in the LP nor identified as Safeguarded land.

Should there be a proven need to remove land from the Greenbelt it should be removed sequentially with the land of lowest Greenbelt value removed first when measured against the functions of Greenbelt in NPPF 80 and with regard to maintaining a defensible Green Belt boundary.

The Safeguarded land was identified as the most appropriate land to use for development should it be necessary to remove land from the Green Belt.

The Safeguarded land has all been removed from the LP despite objections against and in many cases no consultation responses in favour of the removal.

The characteristic, TPO protected trees of Mill Plantation which border site H56 provide a strong defensible Green Belt boundary which would be expected to endure beyond the plan period.

A planning application has been made for the area of site 138. This planning application has not been Determined.

Since no planning application has been determined then there is no planning permission anywhere within the planning unit.

The planning application can not be lawfully determined since council officers provided false, misleading, information to councillors at the planning meeting.

Amongst other errors made by council officers they stated that the site was not in the Green Belt because it was not shown as Green Belt in the 2005 Draft Local Plan. They are well aware that 2005 Draft Local Plan is not the Statutory Development Plan.

Sport England have raised objection to the planning application.

In the event that this unlawful application is determined it is my intention to take proceedings for Judicial Review.

This planning application has been used to frustrate community attempts to protect the playing fields as Local Green Space, and has been used to justify procedural failings by the LA in the assessment of the site within the Local Plan Process.

Prior to the Regulation 18 consultation the council stated that site H56 would not be removed regardless of any negative response received.

Since the outcome of the Regulation 18 consultation was pre-determined it was not a genuine consultation.

If all allocated sites within the LP have not been subjected to genuine Regulation 18 consultation then Regulation 18 consultation has not been lawfully concluded.

It is a legal requirement that a Regulation 18 consultation must be completed prior to a Regulation 19 consultation taking place. This has not been done and is unlawful.

A petition of 1300 Residents has asked for this land to be designated Local Green Space under s76 of the NPPF.

This is the correct time to assess Local Green Space. Local Green Space can only be allocated when a Local or Neighbourhood plan is in preparation.

There is no Parish council or Neighbourhood forum in the area so the only opportunity to allocate the land as Local Green Space is within the Local Plan.

The council scrutiny committee has stated that the issue should be brought to the Local Plan Working Group, but the council has not done so.

By not addressing the petition prior to the Regulation 18 & 19 consultation the LA is 'fait accompli' refusing the community request to allocate the land as Local Green Space without any assessment of merit taking place.

### **The allocation conflicts with policy H2 Density of Residential Development:**

H2 requires a density of 50 Houses Per Ha.

70 houses are proposed to be built on this site.

This represents a density of:

- 17.5 Houses Per Ha for H56

-14 Houses Per Ha when considering the entirety of the planning unit

Either way the site falls well short of the density requirement of policy H2.

### **The allocation conflicts with policy ENV3 Land Contamination:**

ENV3 states:

"Where there is evidence that a site may be affected by contamination or the proposed use would be particularly vulnerable to the presence of contamination (e.g. housing with gardens), planning applications must be accompanied by an appropriate contamination assessment."

Development identified as being at risk will not be permitted where a contamination assessment does not fully assess the possible contamination risks, and / or where the proposed remedial measures will not deal effectively with the levels of Contamination."

Part of site H56 contains a buried landfill site. A phase 1 study found risk of contamination and recommended further phase 2 investigation be undertaken. That work has not been done.

**The allocation conflicts with policy ENV5 Sustainable Drainage:**

The drainage of site H56 has not been fully investigated and SUDS have not been proven to be a workable solution. It has not been demonstrated that suds can be used without affecting heritage assets or would be capable of disposing of the possibly contaminated water from the site. Yorkshire water has stated the sewer has no capacity to handle any water from the site and the adjacent brain injury care facility houses vulnerable patients who may be greatly affected if contamination leeches off site.

**Reason for objection:**

**Not Consistent with National Policy & Not Justified & Not Legally Compliant**

**Appearance at examination : Yes**

**Reason for appearance: Complexity of the issues**

**Objection to Sustainability Appraisal for site H56:**

**Heritage impact assessment(HIA):**

The HIA forms part of the SA assessment.

Evidence shows that the HIA for site H56 would not pass.

**Criteria 3 Landmark Monuments - Should be assessed as (red) - "Highly likely to cause significant harm leading to the loss of historic character or substantial harm to it's significance."**

**Criteria 6 Landscape and Setting - Should be assessed as (red) - "Highly likely to cause significant harm leading to the loss of historic character or substantial harm to it's significance."**

The site is within the area of Character Assessment 61: Features of the site include:

1) The mature TPO woodlands of Mill Plantation which border site H56 are a character feature of the area.

2) The Historic Pavilion building meets the definition of a Non-Designated Heritage asset in the Character Area 61 assessment.

- 3) The site is in an area assessed as likely to contain buried archaeology
- 4) There are views of the University boiler mast (cited as an important view in Character 61 assessment)
- 5) There are views of Grade 2 Listed Heslington Church which is located inside the Heslington village conservation area. Affecting the setting of a conservation area.
- 6) Site H56 negatively impacts the setting of the scheduled ancient monument at Siwards Howe. [Siwards How, south east of the water tower, Heslington Hill, York - 1015690| Historic England](#)
- 7) It is essential that the site is kept open to prevent coalescence of the urban York area and Heslington Village.
- 8) There is a feature on the boundary of the land to the west(which should be part of the same site but was removed. This removal was illegal for reasons connected with the sporting use since it results in the loss of part of a playing field. The site as shown in the proposal map is only part of the site as originally submitted.), next to the cycle track with mature trees and a ditch. I believe this is part of the historical feature mentioned in the character area 61 assessment and could form part of an original field boundary or other structure of historical significance.

### **Criteria 3 Landmark Monuments:**

Siwards Howe should be considered to be a 'Landmark Monument' for the purpose of the Local Plan.

Siward's Howe is a scheduled Ancient monument of National importance. Scheduling offers the highest available level of protection to a Heritage Asset. Scheduling is applied only to sites of National importance, and even then only if it is the best means of protection(Historic England Web Page). York has an abundance of Heritage assets but there are only 21 other monuments in the Local Plan area with this same level of protection.

Whilst the Heritage topic paper does not name Siwards Howe specifically it does explain the reasons why other Landmark Monuments such as the Minster have been selected as Landmark Monuments. Great importance is placed on the fact that these monuments occupy elevated positions commanding long distance views/visible from area outside the city such as the Wolds etc.. Since York's landscape was carved out as low lying flat land by the glacial moraine, there are relatively few elevated points within the plan area. One such elevated site is Siward's Howe. It must be noted that the Heritage topic paper itself accepts that it is not definitive, incomplete and subjective so the failure to identify Siward's Howe as a Landmark Monument within the paper would not provide evidence that Siward's Howe should not be classed as a Landmark Monument when measured against the same selection process as the other Landmark Monuments therein.

The Historic England description of the Scheduled Ancient Monument in it's listing states:

"Constructed during the pagan Saxon and Viking periods for individuals of high rank, they served as visible and ostentatious markers of their social position. Some were associated with territorial claims and appear to have been specifically located to mark boundaries."

Siward's Howe is associated with Siward, Earl of Northumbria, and is an expression of his power.  
[https://en.wikipedia.org/wiki/Siward,\\_Earl\\_of\\_Northumbria](https://en.wikipedia.org/wiki/Siward,_Earl_of_Northumbria)

There is no fixed distance to limit the setting of a Scheduled Ancient Monument and the elevated position of the monument must be taken into consideration in any assessment.

In the Book Heslington a portrait of the village the author describes Siward's How as dominating the surrounding landscape.

Prior to the construction of the City Walls the military control of York was dependent on a handful of fortified and elevated sites of strategic significance. Siward's Howe is described as such a site in the book **York: The Making of a City 1068-1350 p53:**

"However the presence of the burgh in Bootham, the control of strategic features such as Siward's Howe, and the distribution of rural manors associated with the Earls around the city all indicate that this was a substantial settlement intended both to dominate the city and assert it as a central place of Government within the earldom"

In the middle ages York and London were the largest cities in England(York University website), The absence of London within the Domesday book arguably makes York the most important city of the age, and was the capital of the Kingdom of Northumbria which stretched all the way to Scotland.

Therefore Siward's Howe dominated the surrounding landscape, dominated the City of York and by extension exerted significant influence over the entire country. The historical importance of this monument should not be understated in the Local Plan.

Site H56 is located immediately between Siward's Howe and the Roman Road Hull Road.

The view of Siward's Howe from Hull Road when approaching York is mentioned in the Book **York: The Making of a City 1068-1350 p52 & p64, so must be considered to be a historically important view.**

"The Earls presence in the Eastern suburbs was even commemorated in the name Siward's Howe for a prominent hill that overlooks the main south-eastern approach to the city from the Humber"

"The likelihood that the Earls York estate was established during Siward's lifetime is further suggested by the naming of certain prominent features in the landscapes of Heslington and Fulford after him, especially the prominent hill top Siward's Howe overlooking one branch of Ermine Street(Hull Road) as it approached York"

The view across site H56 is the only remaining part of this local view between Hull Road and Siward's Howe which has not been obstructed by modern inappropriate development. It should therefore be granted greater protection not to sever this last remaining connection between the monument and its original setting.

## **Criteria 6 Landscape and Setting:**

The Heslington Village Design Statement which has been adopted by City of York Council as Supplementary planning Guidance specifically refers to the Playing fields of site H56 as forming part of a green wedge which is required to be kept open to protect the rural character of the village.  
[https://www.york.gov.uk/downloads/file/3239/heslington\\_village\\_design\\_statementpdf](https://www.york.gov.uk/downloads/file/3239/heslington_village_design_statementpdf)

The Northern Boundary of site H56 is in the urban York area the Southern boundary is the boundary of the Parish of Heslington. Development of site H56 will therefore result in the coalescence of these 2 very different settlement areas.

The Nearby site of Ponds Field was rejected from the Local Plan for this same reason.(Red)

The development of site H56 will negatively affect the relationship of the historic city of York to the surrounding settlements.

Site H56 is located in the Green Belt when assessed against the Statutory Development Plan.

The statutory development plan presently constitutes the 2 saved policies of the Regional Spatial Strategy(RSS) which was adopted in 2008.

According to these policies the site is located inside the outer boundary of the green belt and an inner boundary has yet to be defined in a local plan.

Previous called in decisions by the Secretary of state have established that land within the outer boundary of the Green Belt should be treated as being within the green belt for the purpose of assessment.

Site H56 is shown as being in the Green Belt on the 1991/5 Green Belt Local Plan which has previously been assessed by the Planning Inspector.

NPPF s80 defines 5 purposes of Green Belt.

- 1) to check the unrestricted sprawl of large built-up areas
- 2) to prevent neighbouring towns merging into one another
- 3) to assist in safeguarding the countryside from encroachment
- 4) to preserve the setting and special character of historic towns
- 5) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land

I believe that site H56 fulfills functions 1,4 & 5

The council have continued to ignore the green belt status of site H56 in the assessment of sites in the Local Plan.

Other sites which are also in the green belt and designated as 'Safeguarded Land' in the 2014 publication Draft have been removed from the 2017 publication Draft plan.

The council has not assessed Green Belt sites correctly and has not assessed them against all 5 functions of Greenbelt in NPPF s80.

Site H56 connects to other open spaces in the vicinity to link Walmgate Stray ,partially via the Sustrans Route 66 cycle track and the woodland paths within site H56/the university science park,to the open spaces of the university campus which extend out to the ring road.

Site H56 should therefore be considered to be important Green infrastructure forming part of an extension to the Walmgate Stray Green Corridor.

PSC(page 121) " There are no ecological constraints on the site but linkages and enhancements to local green infrastructure corridors should be investigated."

The councils evidence base defining green corridors is incomplete so could not logically form a valid basis to deny the existence of this Green Corridor.

The remainder of the SA is based on many now proven falsehoods and is heavily flawed.

Site H56 is Green Field land. It is in the Green Belt.

Cutting down the characteristic TPO of Mill Plantation will not give an opportunity to improve the frontage onto hull road as suggested by officers.It will just destroy the character of the area.

**Reason for objection:**

**Not Justified**

**Appearance at examination : Yes**

**Reason for appearance: Complexity of the issues**

**Strategic Environmental Assessment - Objection.**

An EIA should have been completed for site H56. There is likely contamination present(Identified in a phase 1 study).

The correct planning unit is over the 5Ha threshold.

**Reason for objection:**

**Not Justified**

# Windmill Lane Playing Fields

## OBJECTION TO PLANNING APPLICATION 16/02358/OUTM

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This objection is lodged by John Cossham, supported by approximately 20 actively involved members of Save Windmill Lane Playing Fields and backed up by approximately 1300 signatures on a petition

### ABSTRACT

The site has been included in the preferred sites selection document erroneously in that it does not comply with the published site selection methodology. The site does not pass the Open Space selection criteria in 2013/14 or 2016 and should not have been brought forward. Failure to follow the stated site selection methodology is a failure to correctly evaluate the sustainability of the site. It is also a failure to assess each site in the selection evenly against reasonable alternatives. The Windmill Lane playing fields have been used by the community for decades for sport, leisure and community events, and are still valued for this. The City of York has an overall deficit of open spaces/playing fields. A large percentage of young people are obese. There are specific targets within City of York Council's Children and Young Peoples' Plan, which would be supported by retaining the playing fields. A petition of well over 1000 residents has asked York City Council to designate this land as 'Local Green Space' as defined in NPPF s76-77. If this planning application were approved it would undermine an on-going democratic process to evaluate the long-term future of the land as part of the Emerging Local Plan. This comprehensive document documents numerous, compelling reasons, supported by evidence, that shows the planning application cannot be approved in its current state.

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## 1) SUMMARY OF OBJECTION

- 1.1. 1300 York citizens signed this petition:
  - a. We, the undersigned, object to the proposal to build upon the Windmill Lane Playing Fields site off Hull Road in York. We believe this should remain an open space dedicated to sporting and community use. We demand that all interested parties work together to achieve that goal.

We call upon City of York Council to honour its promise to 'ensure valued community facilities are protected'. We also call upon City of York Council to designate this land 'Local Green Space'. We call upon York St John University to stand by its commitment to make 'a significant contribution to York's .... health and wellbeing.'
- 1.2. The playing fields have been used by the community for decades for sport, leisure and community events, and are still valued for this, despite York St John University stopping sports teams from hiring the fields and failing to keep the grass cut so that the pitches are usable.
- 1.3. There is a very obvious need for these facilities, evidence from existing sports teams who would like to use the pitches but are being prevented from doing so, and because nearby spaces flood, which this space has never experienced. Our communities are suffering an epidemic of obesity and inactivity, which could be addressed if these playing fields were brought back into use and made available for a multitude of uses.
- 1.4. Replacement facilities are too far away to be used by the local community, or have no capacity to accommodate increased use.
- 1.5. Wildlife and the existing ecology would suffer if these green spaces were converted into housing, roads, driveways, etc.
- 1.6. This open green space is in an area with less than average amounts of open green space, in a city with less than average open green space.
- 1.7. There are 'brownfield' areas available and becoming available which are far better suited to building housing on.
- 1.8. Nitrogen Dioxide levels are already high in the Hull Road corridor, and will potentially be increased by increasing the volume of traffic the proposed development will cause.

## 2) EVIDENCE THAT WINDMILL LANE PLAYING FIELDS ARE NOT 'UNUSED' OR 'UNWANTED'

- 2.1. Previous evidence submitted to the Planning Committee by the applicant, York St John University, failed to acknowledge the on-going importance of the playing fields to local residents and sports groups. Furthermore, it suggested there was no interest from others to see the site sustained as playing fields for use by the community. However, evidence gathered over a matter of weeks proves the contrary, with not only overwhelming community support for the sustainable use of the fields, but that credible interested parties have spoken to the applicant about keeping the site as playing fields.
- 2.2. In previous evidence, it was stated that there was no desire for the University of York to purchase the land to extend the Science Park. While this is true, it fails to paint the full picture; Jon Greenwood, Director of Commercial Services, University of York confirmed that the University had expressed interest to purchase the land as playing fields. **[See evidence in appendix]**
- 2.3. In previous evidence, a claim was made that no local sports teams were interested in the site. However it has become very evident that this assertion is false and fails to explain the many barriers currently in place that are contributing to local teams being unable to use the site. **[See evidence in appendix]**
- a. York St John University has systematically blocked applications to use the Windmill Lane playing fields when approached by interested teams. In the short space of time since the application has been public we have evidence of various teams coming forward to say they're wanted to use the fields but were declined. This is in breach of the Community Use agreement currently in place at the site.
  - b. York St John University has failed to advertise the availability of the site for use as playing fields. This is breach of the Community Use agreement currently in place at the site.
  - c. Interest remains from teams in spite of the fact York St John University has deliberately left the fields to go fallow, making them as unappealing as possible for teams to use. Again, this is breach of the Community Use agreement currently in place at the site.
- 2.4. These pitches are exceptionally well drained, and never suffer from waterlogging. They are ideal for winter and wet-weather use. Compare them with the Osbaldwick pitch, which flooded for months, the Haxby Road pitches that are at risk from flooding, and Hull Road Park, which although has no football pitches, is used for informal sports use and does flood.

### 3) THE NEED FOR PLAYING FIELDS

- 3.1. A large percentage of young people are obese. There are specific targets within City of York Council's Children and Young Peoples' Plan, which would be supported by retaining the playing fields.
- 3.2. Advice and Guidance is people need more exercise.
- 3.3. Previous evidence submitted clearly states there is a lack of provision of playing fields for the Hull Road Ward. The removal of the Windmill Lane playing fields will only add to that deficit. **[See evidence in appendix]**
  - a. The City of York has an overall deficit of open spaces/playing fields. The removal of the Windmill Lane playing fields only adds to that deficit.
  - b. Artificially manufacturing new Ward boundary lines to make it appear that the site is not in an area of deficit (presumably to make the planning application more palatable) is not only flawed logic but morally corrupt and should not form part of the Planning Committee's consideration.
  - c. The sports fields operated by University of York are at full capacity for their students and are not available for community use. Therefore their existence is irrelevant in assessing current provision for the local community.
  - d. One of the sites cited in previous application at Osbaldwick (approximately 19 minutes walk from Windmill Lane) is 'landlocked' by housing and physically incapable of accommodating additional use by sports teams displaced by the Windmill Lane site.
  - e. The Osbaldwick playing fields flood, so they are not available all the year round.
- 3.4. The Haxby Road site has been cited as an appropriate space for Hull Road Ward residents to use, as an alternative to the Windmill Lane site. However, we believe this to be an entirely unsuitable alternative on a number of grounds:
- 3.5. Health England recommends that if playing fields are to be 'disposed of', replacement facilities should be provided which are no more than 15 minutes walk away. York St John University has offered the Haxby Road Playing Fields. These are 2.8 miles by the shortest route (walking along road sides) and 3 miles along the off-road cycle path Route 66. In each case, this is approximately one hour's walk. Therefore the 'replacement' facilities are not suitable as they are too far away.
  - a. The Haxby Road site is 3.8 miles by car from the current site; 48 minutes by public transport, and 2.8 miles foot, taking approximately 55 minutes.
- 3.6. City of York Council's own local plan states that York is one of the lowest cities for car ownership, with a higher than average reliance on public transport and people walking to make journeys across the city. This adds extra weight to an argument that a site that takes in excess of 90 minutes for a return journey either by bus or by foot, is simply too far away to be considered "local" to Hull Road Ward residents. **[See evidence in appendix]**
- 3.7. The Osbaldwick playing fields not only cannot cope with accommodating the displaced community use from Windmill Lane playing fields (see point 1.4.5) but is also 16 minutes walk from current site according to Google Maps.

- a. Google Maps do not take into consideration the heavy traffic often experienced at the Hull Road/Tang Hall Lane junctions which can add waiting time to that walk, making it 19 minutes in practice. This is excess of the recommended 15 minutes walk to replacement playing fields.
- 3.8. There is currently a Community Use agreement on the Windmill Lane playing fields which, as has already been demonstrated, has not been properly fulfilled by York St John University, which leads to very serious questions as to whether their proposed Haxby Road site (three miles from Windmill Lane) will be given over for community use at the required levels.
- 3.9. Furthermore there is no such thing in law as a transferral of Community Use agreement, rather the cancellation of one and the establishing of another. This reminds us that, whilst a new community use agreement at the Haxby Road site is to be welcomed for residents in the north of the city, it still leaves residents of Hull Road in the south east of the city losing precious open space and playing fields.
- 3.10. Sport England (**who are purely a consultee on the process**) in their submission “It should be noted that Sport England has only considered this application in relation to formal sport. The Local Planning Authority should also consider other (non formal sport) uses that the Hull Road site provides, such as informal recreation, kite flying, Frisbee, kick-about etc., The non formal sporting uses of the Hull Road site should be considered in accordance with paragraph 73 and 74 of the NPPF.” **[See evidence in appendix]**
- a. In can be reasonably concluded, Sport England while provisionally approving the move of the S106 agreement, **do not** endorse the planning being granted without proper investigation of how the pitches can be sustained.
  - b. It also includes a clear statement from the Football Association: “The FA understands the concerns relating to the proximity/ accessibility of the new facilities and originally objected to the application on this basis. It is also understood that there is no assessment that demonstrates an excess of playing fields in the catchment area. This part of York in particular has an undersupply of community playing fields of a suitable standard. Furthermore, York has a growing demand for community playing fields from an increasing number of community multi-team football clubs. The City’s struggle to service this growing demand is compounded by flood issues. **[See evidence in appendix]**”
- 3.11. Currently the Windmill Lane playing fields are set up with football goals, which has led to the assumption that the local FA would be the only relevant consultee. Historically the playing fields have also been used for rugby and athletics. They can also be easily adapted for many more outdoor sports, including hockey, lacrosse, and the increasingly popular game of American football, given proper advertising and investigation.
- a. Furthermore, youth sports teams struggle with access to playing fields. The site can be earmarked for use by youth teams, with adaption of the pitch sizes to half-size pitches, more appropriate for younger players.
- 3.12. The removal of the playing fields and open spaces goes against the City of York Council’s own commitment and targets for community health and wellbeing. The

removal of the site faces objection from relevant parties within the City of York Council on these grounds.

- 3.13. York St John University has met just once with local residents, very late into the application process, showing little to no genuine desire to explore sustainable use of the site. This attitude only further underlines no material effort undertaken by the applicant to find appropriate sustainable future of the Windmill Lane playing fields, despite this land gifted to them as such. **[See evidence in appendix]**

#### 4) OPEN SPACE

- 4.1. Hull Road Ward has low levels of open green space, compared with other York Wards.
- 4.2. The City of York has low levels of open green space, compared with other cities
- 4.3. This makes the Windmill Lane Playing Fields very 'precious' as open green space.

## 5) BIODIVERSITY & PROTECTION OF TREE BELT

- 5.1. The fields and surrounding tree belt is a haven for wildlife, including hedgehogs, bats, owls and foxes.
- 5.2. Building on the fields, and removing the trees indicated in the document would be detrimental to these animals through loss and damage to habitat, disturbance from lights and noise, and encroachment from gardens.
- 5.3. Currently most or all of the trees are protected by Tree Preservation Orders.
- 5.4. TPOs are weak protection since they are easily overturned
- 5.5. Development is likely to encroach on tree root space
- 5.6. In other housing developments, trees protected by TPOs have been removed because of complaints about leaf fall onto gardens and shading.

## 6) PROTECTION OF GREEN BELT

- 6.1. The development constitutes inappropriate development in the Green Belt which would cause substantial harm and no exceptional circumstance exists that could outweigh that harm.
- 6.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.3. There is no adopted local plan. In this case the development plan consists of the saved policies from the Yorkshire and Humber Regional Spatial Strategy (RSS) to 2026, which was adopted in 2008. **[Ref. 5]**
- 6.4. The RSS reads, "The detailed inner boundary to the York Green Belt, and parts of the outer boundary, have not been designated in a development plan. This is therefore covered by policies YH9C and Y1C1.": **[Ref. 5]**
- 6.5. YH9C states, "The detailed inner boundaries of the Green Belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city. The boundaries must take account of the levels of growth set out in this RSS and must also endure beyond the Plan period ." **[Ref. 5]**
- 6.6. Y1C1 states, "In the City of York LDF, define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.2. Protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas" **[Ref. 5]**
- 6.7. The development site sits within the general extent of the Greenbelt as defined by these policies.
- 6.8. In York the Secretary of State has recently taken the approach at call-in **[Ref. 1]** that the starting point to determine if the land is classed as Greenbelt must be to first establish if it fulfils any of the 5 functions of Greenbelt as described in
- 6.9. NPPF (s80):
- a. to check the unrestricted sprawl of large built-up areas;
  - b. to prevent neighbouring towns merging into one another;
  - c. to assist in safeguarding the countryside from encroachment;
  - d. to preserve the setting and special character of historic towns; and
  - e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.10. The development site is York St. John's playing fields which sit between the built-up area of the City of York and the conservation area of the village of Heslington.
- 6.11. The land must be kept open to protect the rural character of Heslington Village conservation area which is threatened by urban sprawl from the City of York built up area merging 2 very different areas together to become one suburb of the inner city.

- 6.12. Heslington Village design Statement **[Ref. 2]** was adopted by York City Council as Supplementary Planning Guidance (SPG) and as such is a material condition for planning. This states:
- a. "The Village's rural character, keeping it separated from the City of York, is emphasised by two green wedges - to the west by Walmgate Stray, Fulford Golf Course and the Sports Fields and to the north-east by the playing fields of York St. John College, the University fields and the fields around the Church."
  - b. This names the development site explicitly as part of the surrounding lands whose permanent openness protects the character of the village.
  - c. The land is identified as a 'green wedge' in the planning documentation **[Ref. 2]** and it is of note that the Green Wedges are of particular unique historic value in York. The walkability of the city along the green wedges and views of historic value are also much prized **[Ref. 11]**.
  - d. development site offers sweeping views of the listed ancient monument at Siward's How **[Ref. 6]** which is said to "dominate" the surrounding landscape **[Ref. 3]**.
- 6.13. Landscape and setting
- a. "The landscape within which the city of York sits, is as much part of its defining character as the concentration of historic built assets in its centre. More than any other English city, the landscape itself connects right up to the centre and forms part of the historic core itself in the form of the city wall embankments." **[Ref. 11]**
  - b. "There are many places within the urban area where the connection with landscape, as opposed to built environment can be appreciated within walking and cycling distance of the centre. This is a key feature of York, it is a very walkable city: Journeys from most suburban districts can be made via the city's green wedges; the strays and rivers." **[Ref. 11]**
  - c. "This is particularly important in helping to better understand the distinctiveness of the city outside the walls. Sir Ron Cooke, in his 2006 publication, "Why York is Special" (Cooke, 2006), considered the city outside the walls to be an integral part of York's overall distinctiveness and character which in many ways sets it apart from other similar historic places. Part of this lies in the retention, almost intact, of an architectural and development history from the historic core along all the principal routes and, York's open spaces connecting the historic core to open countryside. Added to this is the distinctive quality of York's suburban communities where the segregation of rich and poor is far less noticeable than in other places" **[Ref. 11]**
- 6.14. It is clear that the site does make a contribution to each of the purposes of Greenbelt and it should therefore be treated as Green Belt. In any event, it would only be if the Inspector concluded that the site makes no meaningful contribution to any of the purposes that it could properly be concluded that the site does not play a Green Belt role. **[Ref. 1]**
- 6.15. The proposal would represent inappropriate development in the Green Belt; it would permanently reduce openness, and would conflict with the 5 purposes of the Green Belt in NPPF (s80). These harmful impacts on the Green Belt attract substantial weight. **[Ref.1]**

6.16. The Secretary of State considered if the benefits of housing and affordable homes would amount to very special circumstances that clearly outweigh the harm to the Green Belt and other harm. He concludes that these considerations do not clearly outweigh the harm to the Green Belt and any other harm, and so very special circumstances do not exist. The proposal is therefore in conflict with national policy on the Green Belt **[Ref.1]**.

## 7) LOCAL GREEN SPACE

- 7.1. A petition of well over 1000 residents has asked York City Council to designate this land as 'Local Green Space' as defined in NPPF s76-77. If this planning application were approved it would undermine an on-going democratic process to evaluate the long-term future of the land as part of the Emerging Local Plan.

## 8) AFFORDABLE HOUSING

- 8.1. The O’Neills/YSJ proposal states that 10% of the properties will be “affordable housing” but don’t define what this means. Plans show 90% of the properties of a similar mix to the Persimmon’s development on Windmill Lane, which does not address the city’s housing problem. Will they actually be “affordable” to those most in need of accessing the housing market, as per housing pricing statement?
- 8.2. Petition work and other incidental conversations around this campaign have thrown up various comments which show that the current housing situation in York is completely out of kilter with actual housing needs of local people:
- a. Many students told us that the massive number of student accommodation springing up in Hull Road and the nearby area are priced way out of reach of “people like us” (This quote from a group of lads from the north of England), that it’s mostly “Chinese and southerners” (their words) who are moving into these.
  - b. Interestingly, too, some students went on to say that some properties, eg, in Tang Hall, are being left empty ... with landlords still hanging on to them presumably waiting for later lets rather than selling up.
  - c. A local estate agent told us that most of the properties they sell in this are being snapped up by Londoners and people from abroad and that there is a massive shortage for entry level accommodation.
  - d. A salesman from the Hungate development said that many of the apartments there are being bought by Chinese and Koreans.
  - e. Rachel Maskell pointed out that there is still a lot of brown field land available for building, in need of decontamination, and that central Government funding is available towards this.
- 8.3. The local building strategy – or rather the lack of it – is clearly creating division and inequalities, with the needs of local people seemingly being last on the list. The need for a thorough review of building strategy and need for a local plan is obvious. Clearly simply to build on the green belt outside the city is not popular but to completely back track and throw everything onto green spaces within the city boundary is equally unacceptable.
- 8.4. Before further mistakes are made – and losing sports fields is not only a mistake, it’s incredibly short sighted in terms of the health, wellbeing and fitness of local people and future generations – there needs to be some cross-party joined up thinking around what is good for the city and its residents in the long term and not this piecemeal developer led approach which is creating further inequalities and destroying communities.

## 9) PREFERRED SITES SELECTION DOCUMENT IS UNSOUND

- 9.1. The site has been brought forward on the basis of its inclusion in the preferred sites selection document created as part of the evidence base for the embryonic Emerging Local Plan. This document has not been reviewed by an inspector and so in any event must carry very little weight in the planning balance.
- 9.2. The site has been included in the preferred sites selection document erroneously in that it does not comply with the published site selection methodology.
- 9.3. 'S1.1.10' of the Sustainability appraisal included in the evidence base outlines how compliance with the site selection methodology ensures the 'sustainability' of the sites selected.
- 9.4. The site selection methodology states, "Criteria 2: Location Suitability. IF SITE IS AN EXISTING OPEN SPACE, SITE DOES NOT GO FORWARD. BOUNDARY AMENDED WHERE APPROPRIATE." **[Ref. 15] & [Ref. 16]**
- 9.5. Stage 1 methodology
- a. The aborted Local Plan Publication Draft (2014) included a portfolio of housing and employment sites which were supported by a Site Selection report. These sites were selected using the methodology set out in the Site Selection Report (2014) which was based on the plans spatial strategy. The sites had all been tested against the site selection methodology which is based on a 4 stage criteria based approach as follows:
    - i. Criteria 1: Protecting environmental assets (including Historic Character and Setting, Nature Conservation, Green Infrastructure assets and functional floodplain)
    - ii. Criteria 2: Protecting existing open space
    - iii. Criteria 3: Avoiding areas of high flood risk (Greenfield sites in flood zone 3a)
    - iv. Criteria 4a: Sustainable access to facilities and services
    - v. Criteria 4b: Sustainable access to transport.
- 9.6. The site threshold for sites is 0.2 hectares and above. Any sites over 5 hectares are considered to be a Strategic Sites. For these strategic sites the proformas included within this document include relevant planning principles detailing issues that must be addressed as part of the development of the sites including access, ecology, and green infrastructure.
- 9.7. Any sites which passed criteria 1-4 were discussed with relevant technical officers for more detailed consideration regarding their potential for development.
- 9.8. The sites included within the aborted Publication Draft Local Plan (2014) which had passed the Site Selection Methodology following the Further Sites (2014) and Preferred Options (2013) Consultations were used as the starting point for the Preferred Sites Assessment published in 2016." **[Ref. 14]**
- 9.9. The land is defined as 'Open Space' in the 2005 Development Control Plan and meets the definition of Open Space within the NPPF:

- a. "Open space: All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity."
- 9.10. The site does not pass the Open Space selection criteria in 2013/14 or 2016 and should not have been brought forward. Failure to follow the stated site selection methodology is a failure to correctly evaluate the sustainability of the site. It is also a failure to assess each site in the selection evenly against reasonable alternatives.
- 9.11. The Local Authority is aware of large areas of brownfield MOD land which is due to shortly become available. These have been assessed to pass the site selection methodology.
- 9.12. Discussions in Council at the Local Plan working group and the Executive demonstrate that the local authority do not believe that the current evidence base is sound and that it may be necessary to re-consult on the site selection document.
- 9.13. Executive, 26 January 2017:
- a. "Mr Slater: Neighbouring authority in Bradford was recently criticised and work on a local plan was halted by an inspector because they hadn't had the proper regard to brownfield sites in their assessment. So we don't want to fall foul of progressing with haste and finding that it actually comes back and the plan has to be.., this element of work has to be redone later so we are aware of these things. We are aware of the importance of progressing the plan quickly.
  - b. "Mr Ferris: We had the Director General of the DCLG here on Monday, he expressed to the authority that it needs to ensure it delivers a sound plan, he recognised the impact that the MOD land would have on the authority and in respect to the response to the authorities letter he's obviously considering as to how strong he can make that response but effectively the essence of it will be we need to do what is necessary to deliver a sound plan and if we believe these sites are material than we must deal with them accordingly and obviously that has the timetable impacts that Mike has highlighted."
- 9.14. Work on the Local Plan has stalled. No meeting of the Local Plan Working Group has convened since January 2017.
- 9.15. "The Local Plan 3.2
- 9.16. Following the withdrawal of the Core Strategy in 2012 the Council began work on a new NPPF-compliant Local Plan. A nine-week consultation on a Local Plan Preferred Options took place throughout June and July 2013. This was followed by a further six-week Local Plan Further Sites consultation from early June 2014 to mid July 2014.
- 9.17. Both of these consultations informed the preparation of a City of York Local Plan Publication Draft, 2014 (Publication Draft). This Publication Draft was approved for public consultation by the Council's Executive on 25 September 2014.

- 9.18. However, at a subsequent meeting of Council, on 9 October 2014, the following motion was passed: Council notes that in order to pass the National Planning Policy Framework (NPPF) "Test of Soundness" the Local Plan must be:
- a. Positively Prepared - based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.
  - b. Justified - the plan should be the most appropriate strategy, when considered against the reasonable alternatives.
  - c. Effective - the plan should be deliverable over its period and based on effective joint working on cross-border strategic priorities.
- 9.19. Council believes that the current draft plan approved by Cabinet on the 25th September:
- a. does not accurately reflect the evidence base and is therefore not based on objectively assessed requirements. City of York Local Development Scheme (LDS) July 2016 8
  - b. is not the most appropriate strategy and has ignored reasonable alternatives rather than test the approach against them.
  - c. is not deliverable over the plan period and is contrary to the combined methodological approach of the Leeds City Region. Council believes that the current proposals also fail to adequately reflect the results of the citywide consultations undertaken in July 2013 and July 2014.....
- 9.20. Council believes that the current proposals will result in the plan being found unsound by the planning inspector leaving the city vulnerable..... Council instructs that planned consultation on the current proposals is halted. "[Ref. 17]"
- 9.21. It would be irrational to apply any weight to the Council's evidence base, which is not robust, out-of-date and has not yet been reviewed by the Planning inspector. It is clear that it is unsound for similar reasons to the last attempted emerging local plan.

## 10) ASSESSMENT OF NEED (AON) IS UNRELIABLE

- 10.1. The Council has submitted an assessment of housing need (AON) produced by a 3rd party. This is highly speculative and is little better than tossing a coin. Whilst an AON is by its nature a projection when it becomes no more likely to be correct than random chance it should not be used to make policy decisions.
- 10.2. The AON was produced before the BREXIT vote and this may introduce an added element of risk uncertainty to an already very uncertain projection.
- 10.3. North Yorkshire County Council have heavily criticised these projections stating that they believe them to be 'unsound' **[Ref. 7]**. They have called upon CoYC to work with them under the duty to co-operate. This is a requirement but does not appear to have been followed properly by CoYC.

## 11) ASSESSMENT OF THE 5 YEAR SUPPLY OF HOUSING LAND (5YHSL) IS INVALID

- 11.1. Sites not allocated in the adopted development plan, and without planning permission, require “robust, up to date, clear and transparent evidence to support the deliverability of sites”, provided by the local planning authority; PPG Chapter 3.
- 11.2. When considering the weight that an untested evidence base may be given it is also a consideration to look at the track record of the Local Authority in being able to take a draft plan right the way through the process to adoption.
- 11.3. Indeed, the LA has also sought to claim that parts of the evidence base they have put forward are out of date. This does not bode well as a measure of the quality of the evidence base as a whole.
- 11.4. York last had an adopted local plan in 1957. Attempts to create a local plan have been marred by one policy u-turn after another and no draft plan presented by City of York Council to the inspector has ever been passed. It would be highly unlikely that the present evidence base will fare any better than previous attempts.
- 11.5. The City of York Council has not undertaken an NPPF compliant assessment of the 5 Year supply of Housing Land. Consequently NPPF s49 does not confer any presumption in favour of development to the application.
- 11.6. The procedure to undertake an NPPF compliant assessment of the 5YHSL is contained in the PPG flow chart. **[Ref. 13]**
- 11.7. This procedure requires the LA to use both the ‘preferred sites selection document’ and the AON to determine the 5YSHL. Since both of these documents have been shown to be unsound (above), there is no reasonable basis upon which to calculate the 5YSHL figure and no ‘policy-on’ decisions may be based upon it.
- 11.8. ‘In any event, The Council’s September 2016 response does state that it can demonstrate “an emerging five year supply”.’
- 11.9. The applicant is an educational institution not a house builder. It is unclear if they intend to build these houses themselves or if they wish to put the site up for sale. Either way there has been no evidence of ‘track record’ or evidence that the development is actually deliverable. These are not ‘reserved issues’ for a later stage of planning because they are necessary elements in the determination of the present application.
- 11.10. In the absence of any information about who will actually build the houses it must be considered that the application is entirely speculative with little possibility of delivery.
- 11.11. It is understood that there may be a covenant on the land and if so this would be expected to frustrate delivery even further. Without evidence that this covenant will not hinder delivery it must be assumed that the site cannot be brought forward ‘now’.
- 11.12. These issues conflict with the footnotes 11/12 in s47 of the NPPF:

- a. "11 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 plans.
- b. To be considered developable, sites should be 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."

## 12) DOES NOT COMPLY WITH NPPF S74

- 12.1. The application does not comply with s74 of the NPPF. This is specific policy of the NPPF which restricts inappropriate development of open space and would rebut any presumption in favour of development should such a presumption be found to exist (which is disputed).
- 12.2. This states:
- a. "Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:
    - i. an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
    - ii. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
    - iii. the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss."
- 12.3. No assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements.
- 12.4. The playing pitch strategy report states:
- a. "the PPM indicates that the shortage of mini pitches will increase to 101 pitches. It also predicts a shortage of 4 junior pitches. It also indicates that the provision of senior pitches will only be equal to the demand" **[Ref. 8]**.
- 12.5. Whilst the Playing Pitch Strategy report is a city-wide assessment and does not seek to assess individual sites it does determine that the pitches of least value in York are single pitches in isolated locations. The present site offers multiple pitches and is well located for the community it serves.
- 12.6. In any event the Playing Pitch Strategy report does conclude, "The primary recommendation of the strategy is to ensure that existing facilities are protected and enhanced." **[Ref. 8]**
- 12.7. The Open Space and Green Infrastructure report shows the local area to be part of the Urban East area, which is shown to have a deficiency of all types of open space with the exception of formal parks. There is also a city-wide deficiency of sports pitches shown in this report. **[Ref. 10]**
- 12.8. This report states:
- a. "Ward-by ward characterisation of provision is only starting point for understanding the patterns of use in a locality. Thus many types of facility have catchments which spread across ward boundaries for a variety of types of provision...York's wards have been grouped on the basis of their geography (using boundaries such as rivers and the extent of urban development)." **[Ref. 10]**
- 12.9. It is clear that, for ease of reference, the report attempted to present the catchment areas spatially to the reader in terms of ward boundaries and groupings of wards, but it would be a ridiculous suggestion that the catchment area would be tied to the ward boundary such that a change in the ward boundary would induce a change in the catchment area. As stated above the catchment area is determined by geography

and layout of urban development. Obviously these would not change because someone at city hall redraws an electoral boundary on a map.

- 12.10. The Open Space at UOY is not in the Urban East grouping and should not be included when assessing the local shortfall of open space in the catchment area containing the development site.
- 12.11. In any event, since the facilities at the UOY are used by the University for their own use and not offered to the public they could hardly be put forward as suitable to be included.
- 12.12. The loss resulting from the proposed development would not be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.
- 12.13. Quantity:
- a. The applicant has built 2 football pitches on the allotment site at Haxby Road. All other development is on the site of the existing sports ground so cannot be considered replacement provision. Windmill lane contains 3 marked out football pitches and a 4th area (on the western perimeter) which was previously used as a football which is overgrown but could be brought back into use. Unlike many of York's football pitches the site also has the advantage of the pavilion and ample parking facilities.
- 12.14. Quality:
- a. The land provided at Haxby Road is located next to the river in a flood zone  $\frac{2}{3}$  whereas the land at Windmill lane is a flood zone 1. There is greater chance that the Haxby road site will flood and so does not offer equal or better quality.
- 12.15. In a suitable location:
- a. Policy GP7 of the Draft Local Plan is also a material condition in this respect. The relevant wording in part b is very similar to the NPPF. Both seek to protect open space. Since this policy is in accord with the NPPF it must also be considered relevant.
- 12.16. GP7 states:
- a. "The development of land designated as open space on the Proposals Map, or any other areas of open space that are provided in conjunction with a planning permission during the Plan period, will only be permitted where: a) there will be no detrimental effect on local amenity or nature conservation; and b) compensatory provision of an equivalent size and standard is provided by the applicant in the immediate vicinity of the site proposed for development."
- 12.17. Whilst there is no doubt that the NPPF is the dominant legislation; By it's nature, the NPPF is a national policy which must be used in a variety of settings, it is necessarily flexible and therefore silent on what constitutes "a suitable location". On the other hand, the Draft Local Plan was written specifically for York and so determined that in the local context of York a 'suitable location' means the 'immediate vicinity'. This definition of suitable location must be used to guide decision taking in this application.

- 12.18. The Open Space and Green Infrastructure Report says sports pitches should be 15 minutes away. **[Ref. 10]**
- 12.19. The Fields In Trust Guidance For Outdoor Sport and Play (an objective standard) says that they should be 1200m away which should take 15 minutes to walk. **[Ref. 9]**
- 12.20. Haxby Road is located 4km away. Over 3 times the recommended distance away. There is also no direct bus route. The Haxby road facilities are clearly not in a suitable location.

## 13) SOCIAL STORIES

- 13.1. Statement from David Lancaster, 125 Hull Road
- a. "I have lived in the Hull Road area for all of my 34 years. I have always used the woodland walk down the side of Windmill Lane. As a small child I used to hide in the meadow grass playing hide and seek with my dog. I understand there is desperate need for housing, but there has been a recent resurgence in large areas and local buildings becoming converted or built into student accommodation. I personally feel that there is gross injustice in the way York has for the past 25 years focused on the development of properties, that are either too expensive for the majority of York's citizens, or creating more student living areas.
  - b. The field and woods on Windmill Lane have been a part of my life as far back as my memory serves me. This area has throughout my history been a very well used by dog walkers and people wanting 5 mins walk in the tranquillity of the woodland. I personally feel the area has most definitely been an asset and when I was very depressed it was the closest place I knew where all life's issues and troubles melted away by the delicate birdsong, lush foliage, sturdy upright stout trunks holding aloft a canopy of patchwork leaves. To lose such an area in what is now a very grey built up place would be a disaster. Please consider all the people who have lived locally for a number of years."
- 13.2. Statement from John Richardson 167 Hull Road York YO10 3JX
- a. "We have lived directly opposite the playing fields for almost 40 years. In that time I have sat on the boundary and watched evening and Sunday cricket, as well, at different times, college sports (rugby, football, netball and tennis). In those days there was a running track (on which in early days I myself jogged, and a long-jump pit). It was, in fact, a sports field and community area for picnics, which historically had been accepted by families in the neighbourhood as a local facility.
  - b. In fact, when York-born Oscar-winning composer John Barry, who lived with his family in our house until he was 14, visited us when he was made a Freeman of York, he stood in our lounge, looked across towards the trees and told us how they had remained in his memory, recalling, with damp eyes, the times he and his family enjoyed playing and walking in the open space. We have always respected and honoured the retention open space for the huge benefits (it is the lung of our area, providing us with a vital fresh-air buffer and surprise-view beauty) it gives to the area, which, in respect, in recent years has become the problem-solving area for York's alleged housing shortage.
  - c. Witness the growth of student accommodation, ie the convent site, with little thought of the impact on the resident community. Students have a right to live where they want to, they say. Council-tax payers also have rights. When St John's managed the site thoughtfully, staff put bat boxes in the trees to support colonies and I have seen bats on that site as recent as this week. Bats - as witnessed in our own garden where bats are nesting in our roof - forage for food in quite a confined area of trees, so it would indicate they are living on St John's site, not just visiting.
  - d. St John's invested thousands of pounds to renovate the pavilion and built close by a little-used changing rooms and shower block, even though they were winding down the facility for their own use.

- e. It was intended to bring in outside users but it stuttered and then finally did not attract customers, though until they neglected the playing surfaces (as true as you would find in any local sports-club) it had a future to be exploited and a demand to be satisfied. The lack of use and appeal is by deliberate default by an organisation determined to sell for houses. Alternative facilities offered at Haxby take away the "sporting and community use" a covenant is said to suggest and pre-supposes clubs can squeeze 16 hours of football (eight games) into a Saturday-Sunday weekend.

13.3. Statement from Julia Wright, 39 Windmill Lane

- a. When you are 8 years old going to a fete or gala is an exciting prospect. It was 1963 and, like half of the primary school children in York, I had caught the dreaded mumps. To my great relief however my parents declared I was no longer infectious and could go to the event being held for the local community on the Windmill Lane playing fields. Even now, over half a century later I still have a vivid memory of stalls on the field in front of the pavilion and lots of people milling around and chatting. I remember good weather, a carnival atmosphere and a community being welcomed to share a lovely day. I also remember the tombola where I won a harmonica much to my parents dismay!
- b. I remember taking my new puppy for her first walk round the edge of the field, getting her used to being on a lead away from traffic noise and many feet on a busy pavement. We used to meet other dog walkers early in the morning, the dogs could socialise, we always kept to the edge of the field, ensured no 'unwelcome' presents were left and always received a cheery "good morning" from the groundsmen if they were there.
- c. Over the years we have been able to measure the seasons by the activity on the playing fields. Autumn is heralded by sounds of a referee's whistle and spectators cheering their football teams. Summer by the sight of local students sitting in groups to study or sunbathe. At any time of the year there are family groups playing ball or Frisbee. It is the one place where children can play safely away from traffic and kick a ball as hard and as far as they can without fear of breaking any windows. It is very rare to find the field totally deserted, even if it is only the local rabbits enjoying the greenery.

13.4. Statement from Lucas Kilgallon, Windmill Lane

- a. "I remember when I was younger, an older lad down the lane used to take all the local kids over onto the pitches for games of football. He grew up to be a PE teacher and is now working at Archbishop Holgate School."

13.5. Statement from Phil Rutherford

- a. "I was born in 1950 and lived at 15 Windmill Lane until I was 18. I remember that the playing fields were managed by a caretaker/grounds-person, who lived in the house on the corner of Windmill Lane and Hull Road. His name was Mr. Hardwicke. His son, Steven Hardwicke, and I were friends and both of us went to the nearby Heslington Primary School. See the attached 1960 photo taken at the back of the house. From the left to right ... Phil Rutherford, Steven Hardwicke and Paul Scaife. We were all about 11 at the time. **[See evidence in appendix]**
- b. "I remember that there were "allotments" which were communal gardens over on the eastern side of the playing fields. Dad & Mom leased one of these and we

would cross the playing fields to get to the allotments, where we would grow vegetables. This was probably in the 1950s

- c. "Of course, the fields were used for many sporting events and fetes that we would attend.
- d. "However, the best memory that I have is the "woods" that separated Windmill Lane and the fields themselves. I and my friends and all the kids on the block would use these woods as our playground. We would play "cowboys and Indians", "cops and robbers", "hide and seek", climb the trees, and generally run around like crazy. I suspect that Mr. Hardwicke turned a blind eye to this trespassing."

13.6. Statement from Nick Rutherford

- a. "I was born in 1958 and lived at 15 Windmill Lane until I was 20. My recollections are similar to that of my older brother, playing in the woods during the 1960's. In particular, making "dens" with my friends and playing hide and seek. Mum used to pack us with a little "picnic" in an egg carton, with different things in each compartment for our secret "dens". There used to be two pavilions in the woods used as changing rooms for teams playing on the fields. I have fond memories on a Saturday afternoon of rolling down the hill where one of the pavilions was situated, onto the field. I would get "black bright" then home for a bath, just in time for Dr Who. I also recall using the same hill for sledging when it was snowy. Happy memories.
- b. "There has always been a path running through the woods for as long as I can remember used by locals walking their dogs or generally out for a stroll. As my bedroom overlooked the woods I can recall this quite distinctly.
- c. "I also have memories of playing football and cricket on the field with my friends and during the 1970's practising golf strokes. Also during the 1970's, whilst attending Archbishop Holgate's Grammar School, I recall that the regular cross country runs that we did during P.E. lessons would take us across the field towards the water tower on Siward's Howe and beyond. I also have a vague recollection of having "Sports Day" on the field one year.
- d. I do recall Mr Hardwicke and have visited the caretaker's house on an odd occasion although I can't now recall any details. I do, however, remember as a little boy he would keep the playing field and surrounding area in a lovely condition."

## REFERENCES

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- [15] Annex 6 - Site Selection Flow Diagram and Scoring Mechanism

[https://www.york.gov.uk/downloads/file/1894/site\\_selection\\_paper - annex 6 - sites selection flow diagram and scoring mechanism;](https://www.york.gov.uk/downloads/file/1894/site_selection_paper_-_sites_selection_flow_diagram_and_scoring_mechanism)

**[16]** Further Sites Consultation Appendix 1: Residential and Employment Site Selection Methodology June 2014

[https://www.york.gov.uk/downloads/file/1758/appendix\\_1\\_residential\\_employment\\_site\\_selection\\_methodologypdf](https://www.york.gov.uk/downloads/file/1758/appendix_1_residential_employment_site_selection_methodologypdf)

**[17]** Local Development Scheme July 2016

[https://www.york.gov.uk/downloads/file/11248/local\\_development\\_scheme\\_lds\\_2016](https://www.york.gov.uk/downloads/file/11248/local_development_scheme_lds_2016)

**APPENDICES**

University of York interest

I have today had a telephone conversation with Jon Greenwood, Director of Commercial Services at the University of York. Jon confirmed that University of York has previously expressed an interest in acquiring the Windmill Lane Playing Fields for use as sports fields and discussed this with York St John University. He also confirmed that if the land were to be made available as sports fields now then University of York could make use of them and would welcome the opportunity.

Jane Duke

2 June 2017



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**Discussions re Windmill Lane Playing Fields (York St John University)**

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Jon Greenwood  
To: Windmill Lane



Fri, May 26, 2017 at 10:20 AM

Dear Jane,

I have passed this on to our Head of Estates for a complete answer for you.

We did show interest for the land as playing fields but I do not know the details.

best  
Jon

[Quoted text hidden]

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Jon Greenwood  
Director of Commercial Services  
The University of York



**From:** BARRY CASTERTON [REDACTED]  
**Sent:** 08 June 2017 09:07  
**To:** [REDACTED]  
**Cc:** Steven Wade  
**Subject:** Re: Fw: City of York Council: Save Windmill Lane Playing Fields

Jane,

The situation in York regarding lack of playing facilities has worsened over the past years with the loss of pitches throughout the City. Areas where pitches are available / under utilised such as York Knavesmire are susceptible to flooding and have since seen much undulation to the surface following poor drainage issues.

Over 7500 Players (all ages and genders) have scheduled fixtures across all the York Leagues on various Grass Pitches of various quality and the loss of more pitches such as Windmill Lane Playing fields will be detrimental to the success and increased participation of all the York Leagues.

Regards,

Barry Casterton  
Hon. Secretary  
York FA



# BISHOPTHORPE WHITE ROSE FC

FA Charter Standard Club



To Whom it May Concern

I am writing on behalf of Bishopthorpe White Rose Football Club to support the campaign to retain the playing fields at Windmill Lane.

We are one of the largest football clubs in York and as yet do not have our own ground. We therefore rely on pitches to be available over York in order to accommodate our training sessions and matches. We have over 350 players involved in our club and over 50 volunteer coaches covering teams from Under 5s to Under 19s, both boys and girls teams and disabled teams which train on weekday evenings and play matches on weekends. We have had difficulty finding adequate playing field space for training and matches over the past few years, particularly during the winter months when many of the fields across York become waterlogged.

It is therefore of real concern to the club when we hear that there are proposals for the excellent playing fields at Windmill Lane to be redeveloped for housing. We feel strongly that these playing fields should be protected. The loss of these pitches will very much prejudice football clubs and other sporting clubs across York including our club. This will inevitably mean that our players may need to travel outside of York for their matches or be forced to pay very high rates to hire artificial pitch space at one of the Universities.

We hope that our views will be taken into account and would be happy to provide further information as necessary.

Yours faithfully

Josh Wong

Club Secretary

BISHOPTHORPE WHITE ROSE FC

# Comments for Planning Application 16/02358/OUTM

## Application Summary

Application Number: 16/02358/OUTM

Address: York St John University Playing Fields Windmill Lane York

Proposal: Outline application for residential development (circa 70 dwellings) with associated access and demolition of existing buildings.

Case Officer: Heather Fairy

## Customer Details

Name: Miss Susannah Collings

Address: 180 Tang Hall Lane, York YO10 3RL

## Comment Details

Commenter Type: Interested Party

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Alcuin college netball team has frequently used the grounds for fitness training for the last three years. They're an invaluable green space for many students from Alcuin college due to their close proximity providing a welcome break for many students to use for sports, fitness and revision. Some of the universities wildlife societies have been on owl and bat watching walks round the fields and have frequently seen barn owls.

We all cycle up to university from tang hall lane and the traffic is already so busy at those traffic lights especially during rush hours.

OSBALDWICK SPORTS CLUB  
THE LEYES, OSBALDWICK

Chairman; Mr R. Bycroft, [REDACTED]

Hon. Bar Treasurer; Mr D H [REDACTED]  
Hon. Secretary; Mr. K. Cartledge [REDACTED]  
Hon. Treasurer; Mrs. S. Hee [REDACTED]

08-05-17

To whom it may concern,

Osbaldwick Sports Club is a local volunteer Club whose main purpose is to promote and organize sporting activities. We currently run 2 Senior Football teams with our first team currently playing in the York & District Saturday League which is a Step 7 league in the FA pyramid. We also run Junior Football teams from age 6 upwards and have gained FA Charter Standard. We also run Cricket teams during the summer. We have a field approx. 2 Hectares with a Cricket Square in the middle, 1 Full sized Football pitch, a ¾ sized pitch and 2 Junior sized pitches on the outfield of the summer Cricket pitch. During the Winter months when football is played we have recently struggled with drainage issues leading to a number of postponements and the problem was exacerbated by the heavy rain in 2015 which resulted in our Juniors not been able to play from Christmas until April 2016. Pictures of this are available. During the season 2015-16 I was also Secretary of Osbaldwick Football Club and I struggled to get our fixture list fulfilled due to waterlogged pitches. I contacted the York & District Fixture Secretary on numerous occasions asking for help with playing on other grounds and apart from University of Yorks Low Moor pitches, which itself struggled with waterlogging, the only other option was to play at Wigginton FCs ground. We were never contacted by any other Company or Organization offering us the use of their facilities. We contacted City of York Council who in turn contacted the FA who sent a pitch assessor to do a full evaluation report, which pointed out various long term issues with our field that would cost a minimum of £75,000 to rectify. Over the years both myself and former Chairman David Rippon have asked various authorities, i.e Ryedale Council, City of York Council, for land to enable our club to play more sport on and to cover for when our field is flooded or not available and our local Parish Council have backed us with these requests but no land has become available. We would be very interested in any partnership to ensure any land such as the playing fields at Windmill Lane are retained should that be the case.

Yours Sincerely

K. Cartledge  
Hon. Secretary

Ward	Parks (ha)	Natural (ha)	Amenity (ha)	Children (sites)	Teenagers (sites)	Sports (ha)	Allotments (ha)
<b>Urban East</b>							
Heworth	0.91	5.86	4.93	4	1	9.13	4.74
Heworth W/O	0	40.70	7.57	1	0	17.86	0.21
Hull Road	5.48	1.58	1.77	4	0	11.49	0
Osbalwick	0	0	2.28	3	1	3.01	0
Total provision	6.39	48.14	16.55	12	2	41.49	4.95
Population (000s)	28.080						
Surplus/Deficit	1.34	-11.67	-24.17	-1	-4	-8.49	-3.19
<b>Central</b>							
Clifton	5.47	10.50	7.88	5	0	17.75	1.02
Fishergate	0	31.27	11.26	4	0	5.58	6.05
Guildhall	5.21	8.79	10.78	3	0	2.21	0
Total provision	10.68	50.56	29.92	12	0	25.54	7.07
Population (000s)	32.394						
Surplus/Deficit	4.85	-18.44	-17.05	-4	-7	-32.12	-2.32
<b>East/South-east</b>							
Derwent	0	44.81	2.53	1	0	14.89	2.22
Fulford	0	0.01	2.97	2	1	9.36	0.81
Heslington	1.35	14.70	60.77	1	0	26.35	0.58
Wheldrake	0	0	0.62	3	0	6.41	2.12
Total provision	1.35	59.52	66.89	7	1	57.01	5.73
Population (000s)	15.36						
Surplus/Deficit	-1.41	26.80	44.62	-0	-2	29.67	1.28
<b>West/South-West</b>							
Bishopthorpe	0	0	0.11	1	0	3.72	1.44
Rural West	0	52.48	7.97	8	0	27.14	3.23
Total provision	0	52.48	8.08	9	0	30.86	4.67
Population (000s)	14.424						
Surplus/Deficit	-2.60	21.76	-12.83	2	-3	5.19	0.49
<b>North</b>							
Haxby	0	5.33	7.77	4	1	8.53	1.2
Huntington	0	42.87	11.73	6	2	34.88	2.24
Skelton	0.58	157.05	25.76	9	6	35.37	5.36
Strensall	0	11.37	14.09	3	0	9.6	1.02
Total provision	0.58	216.62	59.35	22	9	88.38	9.82
Population (000s)	45.589						
Surplus/Deficit	-7.63	119.52	-6.75	0	-1	7.23	-3.40
<b>CITY OF YORK</b>							
Total provision	31.82	500.59	317.54	93	19	327.98	53.73
Population (000s)	198.051						
Surplus/Deficit	-3.83	78.74	30.37	-2	-23	-24.55	-3.70

**Table 2.4 City-Wide Surpluses and Deficits by Open Space Type - Comparison of the 2008 Study and 2013 Update**

	Population (000s)	Parks and Gardens (ha)		Natural/semi-natural (ha)		Amenity (ha)		Children (sites)		Teenagers (sites)		Outdoor Sports (ha)		Allotments (ha)	
		Current provision	In-principle surplus/deficit	Current provision	In-principle surplus/deficit	Current provision	In-principle surplus/deficit	Current provision	In-principle surplus/deficit	Current provision	In-principle surplus/deficit	Current provision	In-principle surplus/deficit	Current provision	In-principle surplus/deficit
2013 Update	198.05	31.82	-3.83	500.59	78.74	317.54	30.37	93	-2	19	-23	327.98	-24.55	53.73	-3.70
2008 Calculation	193.60	35.40	0.55	411.42	-0.95	274.83	-5.89	83	-10	6	-35	328.95	-15.66	56.04	-0.10
Difference (2013 over 2008)	4.45	-3.58		89.17		42.71		10		13		-0.97		-2.31	

**Notes:**

- As a result of the 2013 Survey, there has been some limited re-classification of open spaces principally relating to Parks and Gardens, accounting for the decrease in the provision of this resource.
- The rising deficit in respect of outdoor sports is accounted for by re-classification, from outdoor sports to amenity open space, of sports pitches which do not meet the Sport England quality standard has taken place.
- The rise in the number of children's/teenagers' playspaces reflects investment by the City of York over the past 5 years.
- Other differences are accounted for updates to calculated areas.

Indicator	City of York	Relevance to sports facility provision
Population aged 85 and over	The number of residents aged 85 and over has increased by 30% since 2001	This does not directly affect pitch providers as this sector of the population is unlikely to play pitch sports. However the shifting health priorities towards supporting this sector of the population will have an impact on the amount of money available to support pitch sports. There is also likely to be an increased pressure on the use of land, as older people move into the city from more rural areas in order to be closer to services.
Disability	6.6% of the population reported that they have a lot of limitation in day to day activity. This is much lower than regional or national figures but it is still 13,018 people. 23% of households reported that they had at least 1 person with a long term health problem or disability.	Facility providers must consider how to address the needs of this population and their carers. This must include the range of activities the accessibility and location of facilities and the cost and support services offered to those accessing activities.
Car ownership	A high proportion of households only have 1 car or van available 46.7% ranking York highest regionally and 10th nationally. This reflects the high rate of walking, cycling and public transport use in the city.	This has implications for the planning of facilities and sports provision. Pitches may need to be focussed around public transport routes and close to other community facilities to be able to attract a broad range of users.
Employment	There are a lower proportion of households where no one is in employment, with dependant children in York 2.4% than regionally 4.4% and nationally 4.2%. This figure has fallen since 2001.	Facility providers must consider how to cater for lower income households. This relates to both timing and cost of activities.

## Webb, Perry

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**From:** [REDACTED]  
**Subject:** FW: PW - FW: App Ref: 16/02358/OUTM - YORK ST JOHN UNIVERSITY SPORTS FIELD, Hull Road, York, YO10 3JX - Sport England Ref: Y/YC/2016/43876/S

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**From:** Richard Fordham [REDACTED]  
**Sent:** 22 May 2017 10:58  
**To:** Fairy, Heather  
**Cc:** 'Phil Woodward'  
**Subject:** App Ref: 16/02358/OUTM - YORK ST JOHN UNIVERSITY SPORTS FIELD, Hull Road, York, YO10 3JX - Sport England Ref: Y/YC/2016/43876/S

Dear Heather

Thank you for your email of 3 May 2017 stating that the application is being recommended for approval *subject* to the S106 being signed and the community use being transferred and that the decision notice would not be issued until the legal agreement had been signed and in place.

This email sets out Sport England's position on the planning application on the basis that the community use at Hull Road will be transferred across to Haxby Road.

### **Sport England –Statutory Role and Policy**

It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.

Sport England has considered the application in the light of the National Planning Policy Framework (particularly Para 74) and Sport England's policy to protect playing fields, 'A Sporting Future for the Playing Fields of England' (see link below): [www.sportengland.org/playingfieldspolicy](http://www.sportengland.org/playingfieldspolicy)

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all or any part of a playing field, unless one or more of the five exceptions stated in its policy apply.

### **Assessment against Sport England Policy**

This application relates to the loss of existing playing fields and/or the provision of replacement playing fields. It therefore needs to be considered against exception E4 of the above policy, which states:

- E4 – The playing field or playing fields which would be lost as a result of the proposed development would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development

We have therefore assessed the existing and proposed playing fields against the above policy to determine whether the proposals meet exception E4.

### **Assessment of Existing Playing Fields**

The existing site at Hull Road contains three football pitches. When taking into account the useable playing field (i.e. playing field that is capable of accommodating a pitch, or part of a pitch) and including the ancillary facilities such as the pavilions, access road and parking, this site amounts to approximately 2.36 hectares.

### **Assessment of Proposed Playing Fields**

New sport facilities have been provided at Haxby Road. This is a combination of providing new sport facilities on the site of previous allotments and reconfiguration of the layout. Taking into account the new sport facilities provided on the site of the allotments, this amounts to approximately 2.51 hectares and this excludes the previously demolished car park, tennis courts that were adjacent to the allotments. Sport England acknowledges that the new area of sport facilities at Haxby Road does not, in itself contain, three grass football pitches. It contains two artificial grass pitches suitable for rugby and football, tennis/netball courts and a sports hub building and parking. The site has also been reconfigured and includes an additional grass football pitch and three junior pitches.

The facilities at Haxby Road are illustrated on the plan titled 'Updated Master Plan' and 'Existing Sport Pitch provision' The document titled 'Schedule of Pitch Provision' sets out a comparison between the Hull Road site and the Haxby Road site in detail. The letter dated 21 December 2016 to Heather Fairy, sets out an updated position on the sports provision at Haxby Road.

The applicant approached Sport England in 2014 as it was their intention to relocate the sport facilities at York Road to Haxby Road, which Sport England agreed to in principle. In Sport England's letter to York Council, dated 15<sup>th</sup> July 2014, Sport England stated:

*"Sport England has already accepted (via email correspondence) that YSJU's proposals at its Haxby Road sports complex would satisfy the quantitative element to E4. The submitted statement provides further detail to satisfy (as far as possible at this stage) the further qualitative, timing and management issues raised by E4.*

*I am satisfied that the document shows that the combination planning approvals (that are in the process of being implemented), and the specification of works (some of which the Council has accepted do not require planning permission) give a clear indication of the University's intention to satisfy the qualitative element of E4."*

Hull Road is marked out for football. Sport England has maintained dialogue with the Football Association (the FA) during the assessment of this consultation. The FA's concluding view is that:

*"The FA understands the concerns relating to the proximity/ accessibility of the new facilities and originally objected to the application on this basis. It is also understood that there is no assessment that demonstrates an excess of playing fields in the catchment area. This part of York in particular has an undersupply of community playing fields of a suitable standard. Furthermore, York has a growing demand for community playing fields from an increasing number of community multi-team football clubs. The City's struggle to service this growing demand is compounded by flood issues.*

*However, despite this the replacement playing fields are better in terms of quantity and quality. This, combined with a condition of a robust Community Use Agreement (agreed by Sport England), will guarantee equal or better accessibility for the community to those improved facilities.*

*While this does not solve the issues of proximity, it was viewed that the applicant sufficiently met Sport England's planning policy exception E4.*

*The FA or North Riding County FA have not received any complaints regarding this matter from football clubs."*

Sport England acknowledges that this is a finely balanced application, in particular in relation to the distance of the replacement facilities at Haxby Road. The new artificial grass pitches for football will be an improvement as it will increase the carrying capacity for football. The catchment is acceptable for the University Sports teams and we are mindful that the FA states that they and North Riding County FA have never received any complaints from football clubs about the matter. Football is the only formal sport affected at Hull Road, and the FA conclude that the proposal is acceptable. The community use that takes place at the Hull Road site will be transferred to the Haxby Road site.

In light of the above, and in particular the comments of the FA, Sport England is satisfied, on balance, that the proposal meets exception E4 in principle, subject to the community use of Hull Road being transferred to Haxby Road.

**It should be noted that Sport England has only considered this application in relation to formal sport. The Local Planning Authority should also consider other (non formal sport) uses that the Hull Road site provides, such as informal recreation, kite flying, Frisbee, kick-about etc., The non formal sporting uses of the Hull Road site should be considered in accordance with paragraph 73 and 74 of the NPPF.**

### Conclusions and Recommendation

Sport England is aware that negotiations are progressing by way of a legal mechanism to transfer the community use at Hull Road to Haxby Road. However, Sport England maintains its holding objection to this application until a suitable Section 106 agreement, or other legal mechanism is delivered, that transfers the community use across to Haxby Road.

Sport England can confirm that once a suitable section 106 agreement or other legal mechanism has been signed, we will withdraw our holding objection. Sport England would be pleased to discuss the contents of the section 106 agreement or other legal mechanism, with a view to withdrawing the current objection.

Should the local planning authority be minded to grant planning permission for the proposal, without an acceptable section 106 agreement or other legal mechanism in place, then in accordance with The Town and Country Planning (Consultation) (England) Direction 2009, the application should be referred to the Secretary of State, via the National Planning Casework Unit.

Should the local planning authority be minded to approve this application against the recommendation of Sport England; in accordance with The Town and Country Planning (Consultation) (England) Direction 2009 the application should be referred to the Secretary of State via the National Planning Casework Unit.

Sport England would also like to be notified of the outcome of the application through the receipt of a copy of the decision notice.

The absence of an objection to this application in the context of the Town and Country Planning Act, does not in any way commit Sport England or any National Governing Body of Sport to support for any related funding application.

If you would like any further information or advice please contact me at the address below.

Yours sincerely,

**Richard Fordham**  
Planning Manager

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██████████  
██████████  
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## SUMMARY OF MEETING REQUESTED BY WINDMILL LANE SPORTS FIELD SUPPORTERS WITH YORK ST JOHN UNIVERSITY:

Present : Cllr Neil Barnes, local residents - Jane Duke, Fiona Himsworth, Andy Payne  
York St John's - Rob Hickey, Executive Director Innovation & Growth, Estates and IT  
(non academic) and Richard Hurst, Deputy Director of Estates.

Our objectives for the meeting were to discuss the possibility of working with YSJ on finding a long-term sustainable future for Windmill Lane playing fields - one that saves them from being developed, and ideally remaining a facility for the community (and City as a whole) to benefit from.

As was to be expected, YSJ defended their proposal stating it was about the "sustainability" of the University and ensuring the money is invested into their students, who are their primary concerns in this matter.

Early in the discussion we asked them directly whether they would consider taking their plans off the table - at least until we might be able to come to them with a more formed proposal/business case that would demonstrate proper thought and due diligence had gone into the planning process. We have not been given that opportunity to date, so a very reasonable request. We had already received sufficient support to believe that alternative proposals could be worked up, given a realistic timeframe.

YSJ were non-committal but did promise to take it to their wider executive board the following day and put our points across, which were:

- \* We have an (increasingly!) active group of people in the community, keen to see the playing fields kept
- \* We have many high level ideas for what could be done, and an increasing number of interested people/bodies and case studies which give us grounds for optimism that a solution can be found
- \* As a community group, we would have access to funding that YSJ may not be able to apply for.
- \* We needed YSJ to withdraw the current proposal allowing us proper time to explore alternative proposals, including sporting, educational and environmental use with various potential partner organisations.
- \* We committed to them our effort to help form alternative plans, suggesting too that this might be a great opportunity for students to participate, but clearly the eventual solution might come from various routes so we would need some idea of potential timeframes.
- \* We pointed out that YSJ have a major asset in this land, no matter what happens. They can only sell it off once. We suggested that it could be looked at as a long term asset and flagship project for the university/city/community, with benefits also to student groups potentially working with local schools.
- \* We had asked both before and during the meeting if it would be possible to see inside the pavilion to assess potential use. We were informed that access would not be possible due to a few safety issues (although the downstairs is in use by the emergency services)

Further information shared by YSJ:

- \* The whole plot is being sold off woodlands, everything. That means the new land owner will be in charge of the upkeep of the woodland and any green spaces within the plan. Which (as local experience shows) doesn't bode well for the long-term conservation of the precious woodlands and wildlife.
- \* YSJ has not investigated any other use for the site, other than ones that involve development (\*\* We have learned from various other sources that there has been a lot of interest expressed in using the land as playing fields, turned away by YSJ)
- \* They were honest enough to admit they don't really want any obligation or ongoing commitment to the site - we'll need to be aware of this in any alternative proposals we put forward
- \* They brought with them revised development plans, which have 69 houses (down from 70) and the plot of green land moved to being a single plot along the bottom nearest the tennis courts (the plans will be up on the CoY website very shortly)
- \* YSJ defended the actions/words of O'Neills re people "trespassing" on the land (which didn't go down well!!!) (\*\*We've used these fields openly for over 60 years, some of the kids even used to help erect the football posts and paint the white lines, community groups organised litter picking, etc)
- \* They also asked us about the march (community walk) which we assured them would not be confrontational.

#savewindmilllane

CORRESPONDENCE SINCE THIS MEETING:

19 May

**Fiona Himsworth to Richard Hirst**

Hi Richard

Thanks very much to you and Rob for coming out to see us on Monday. I was wondering if anything has since come of our discussions and the proposals we put forward. **We continue to get enquiries about how the fields can be saved and I know that any alternatives being considered by yourselves would be welcomed by many people.**

Regards  
Fiona, The Windmill Lane Team

**Richard Hirst (r.hirst)**

23 May (12 days ago)

to me

Dear Fiona,

Thank you for your email of Saturday regarding Hull Road.

On behalf of York St John, I would like to thank you for the meeting we had last week to listen to your thoughts for the University site at Hull Road. It was good to be able to hear one another's perspectives.

I would like to confirm that, as discussed, the University have formally submitted to the council a revised site layout plan indicating an enlarged open space area as part of the development. This area would be available to all.

In addition, at the meeting Rob agreed to go back to the University Executive Board to inform them about your suggestions, he has now done this. Given that the proposals for this site are part of both the University's financial plan and the city's local plan, we feel that at this stage it is important that the planning application should continue, in order to follow due process.

Whilst I appreciate that this may not be your preferred outcome, we remain open to listen to alternative, commercially viable options should they come forward.

Regards  
Richard Hirst

Richard Hirst BSc MBA FBIFM  
Deputy Director of Estate Management &  
Development

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

25 May (10 days ago)

**Fiona Himsworth**

to RichardHirst

**Thanks for getting back to us Richard. Obviously we're disappointed that the university can't allow for a little more time to explore options.**

**Just in terms of clarification, could you tell me what, in the university's view, would constitute a "commercially viable" option. Are we only talking in building development/financial terms or would further work on partnership/transfer/community options possibly still be worth pursuing?**

Did Rob get any feeling at all for possible interest in looking at sporting/educational alternatives or is the site completely written off, so far as St John's is concerned?

Regards.

Fiona

....I have received no answer to this yet.



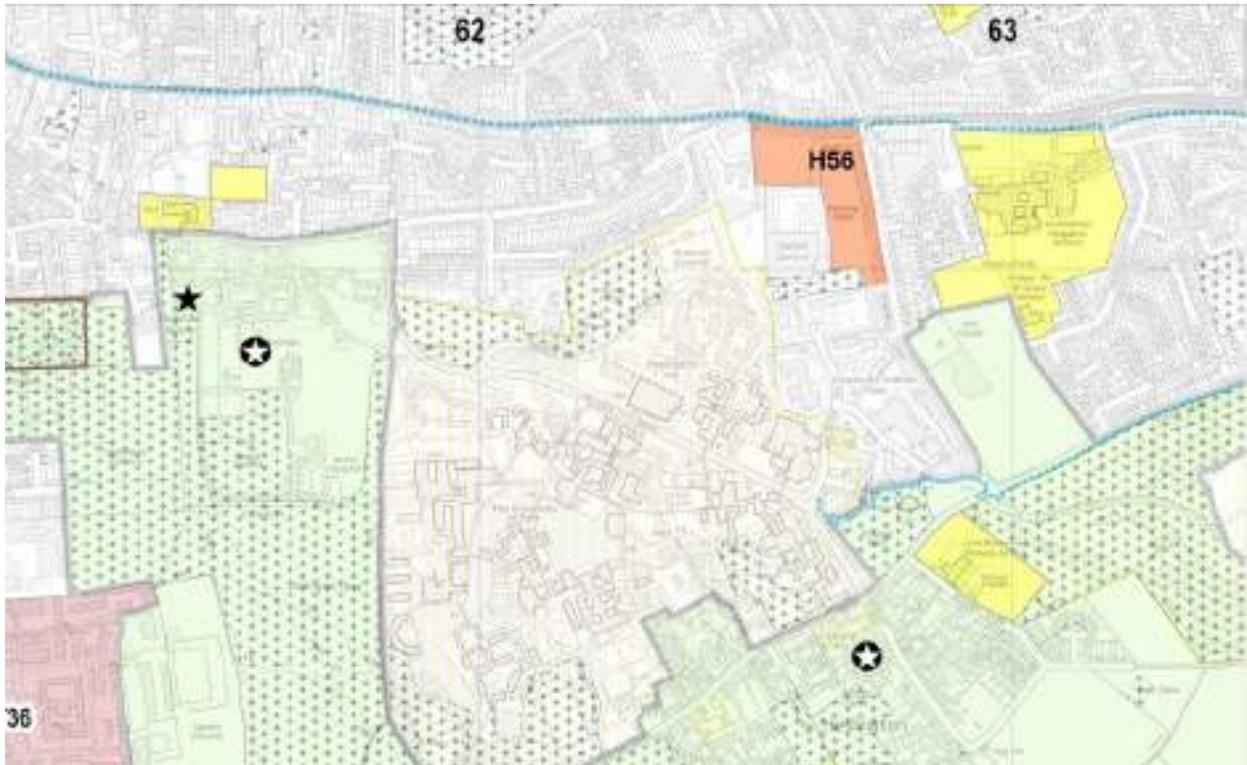




1960, Windmill Lane Playing Fields  
Phil Rutherford, Steven Hardwicke and Paul Scaife

Site H56:

Site H56 as it appears in the Publication Draft Local Plan 2017:



## Key to Proposals Map

-  City of York Boundary
-  City Centre Boundary  
- See Separate Inset Map

### Spatial Strategy

-  Indicative Strategic Site Access

### Economy and Retail (Section 4)

-  District Retail Centre
-  Strategic Employment
-  General Employment
-  Mixed Use

### Housing (Section 5)

-  Strategic Housing
-  General Housing
-  Student Housing
-  Residential Extra Care (C3b)
-  Existing Gypsy and Traveller Site
-  Proposed Travelling Showpeople Site

### Health and Wellbeing (Section 6)

-  Existing Health Care Facilities
-  Proposed Health Care Facilities

### Education (Section 7)

-  Educational Establishment  
(including Playing Fields)
-  Askham Bryan and York Colleges
-  Existing University Campuses

### Placemaking, Heritage, Design and Culture (Section 9)

-  Conservation Areas
-  Area of Archeological Importance
-  Historic Parks and Gardens



### Green Infrastructure (Section 9)

-  Existing Openspace
-  Proposed New Openspace
-  Nationally Significant Nature Conservation Sites  
(SAC/SPA/RAMSAR/SSSI)
-  Site of Importance to Nature Conservation  
(SINC)
-  Candidate Site of Importance to Nature Conservation  
(Candidate SINC)
-  Local Nature Reserve (LNR)

### Managing Appropriate Development in the Green Belt (Section 10)

-  Greenbelt

### Waste and Minerals (Section 13)

-  Household Waste and Recycling Sites

### Transport and Communication (Section 14)

-  Proposed New Railway Stations
-  Existing Park and Ride
-  Existing Park and Ride with Potential for Relocation
-  Existing Park and Ride with Potential for Expansion
-  Potential New Bridge/Enhancement
-  Proposed Roundabout Junction Improvements
-  Proposed Strategic Junction Improvements
-  Land Safeguarded for Potential  
Future Transport Schemes
-  Strategic Pedestrian/Cycle Corridor Improvements

**Technical Officer Assessment**  
**York St John University playing field, Hull Road**

Site: **138**

Submitted For: Housing

<b>TRANSPORT</b>		
	Based on the submission site, this would be sharing an entrance with the David Lloyd Centre which would cause impact on Hull Road junctions. A transport assessment is required to establish the viability of access onto/from the site.	Amber
<b>GEO-ENVIRONMENTAL CONSIDERATIONS</b>		
Contamination:	Unknown landfill site- study needed?	Amber
Air Quality:	No air quality issues but would need a buffer to Hull Road.	Amber
Noise:	Due to the potential impact the extension of the site could have upon noise sensitive receptors in the area a noise impact assessment may be required.	Amber
Flood Risk:	This site is split between greenfield and brownfield. Change in this location would require the applicable run-off rates. This site is located in flood zone 1.	Green
Ecology:	Playing fields need to consider green enhancement to link green corridors if approved.	Green
<b>HISTORIC ENVIRONMENT, LANDSCAPE AND DESIGN</b>		
Heritage/ Archaeology:	Part of the area to the west, which is not playing pitches, is undisturbed ground and could be of interest. An archaeological desk based assessment will be required to identify features and deposits.	Amber
Landscape/ Design:	The openspace parcel of land needs to be considered as adding to the setting of the University and should be retained for open space provision. This would help create a green buffer/wedge north of the university. There are Tree Preservation Orders on site and this would pose a restriction on development within the proposed housing allocation area.	Amber
Openspace/ Recreation:	The site is existing playing field. The city is short of playing pitches. We know there are organisations in the city who would like to acquire this land for playing field. Sport England would object to its loss.	Red
<b>CONCLUSIONS</b>		
Summary:	It is proposed that YSJ will relocate all university provision to Haxby Road. Evidence submitted which questions community demand for the provision at Hull Road. The CYC Playing Pitch Strategy indicates an under provision of pitches. The proposed replacement pitches were already identified as pitches so no net gain. CYC has evidence to prove that there is community demand and interest in retaining the pitches.	Red
Outcome:	<b>Failed Officer comments</b>	Red

Site Name: **Land at Hull Road**

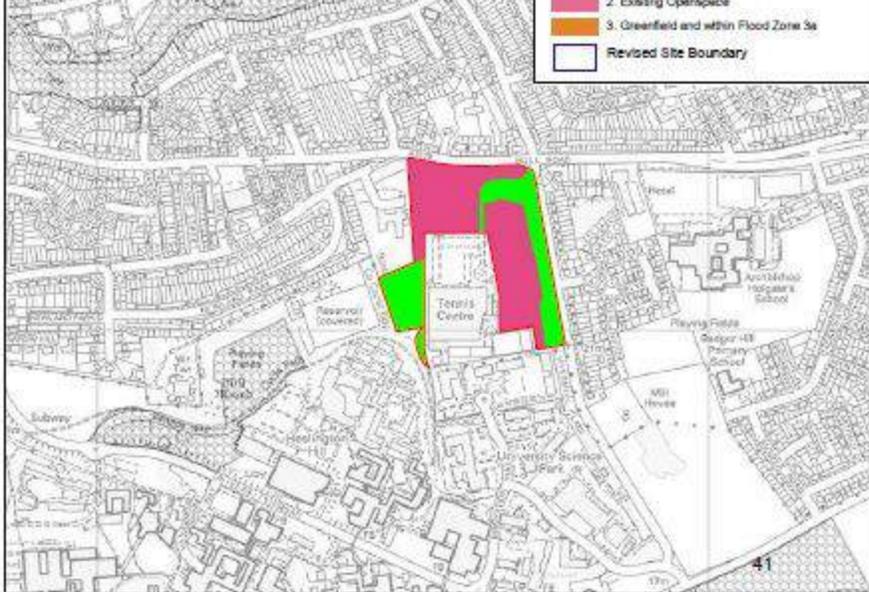
Ref: **138/E15**

**SUBMITTED SITE PLAN**



-  Submitted Site Boundary
-  Developable Area after criteria assessment
-  Criteria 1: Natural environment asset boundaries
- Area retained at criteria stage:**
  -  1. Natural Environment Assets
  -  2. Existing Openpace
  -  3. Greenfield and within Flood Zone 3a
  -  Revised Site Boundary

**CRITERIA 1, 2 AND 3 ASSESSMENT**





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Heritage Category:	Scheduling
List Entry No :	1015690
County:	
District:	YORK
Parish:	Hevington, Non Civil Parish

Each official record of a scheduled monument contains a map. New entries on the schedule from 1982 onwards include a digitally created map which forms part of the official record. For entries created in the years up to and including 1981 a hand-drawn map forms part of the official record. The map here has been translated from the official map and the phone may have introduced inaccuracies. Copies of maps that form part of the official record can be obtained from Historic England.

This map was delivered electronically and when printed may not be to scale and may be subject to distortion. All maps and grid references are for identification purposes only and must be read in conjunction with other information in the record.

Locality NGR:	SE 62180 00871
Map Scale:	1:10000
Print Date:	18 February 2018

This is an A4 sized map and should be printed full size at A4 with no page scaling set.  
 Name: Swards How, south east of the water tower, Hevington Hill



**Character area 61: University of York campus**



Location of character area



Extract from First Edition Ordnance Survey Plan 1812

### Key Characteristics

**General Character:** University campus containing residential, recreational, commercial and educational buildings of a variety of styles and date predominantly dating between the 1950s to 2000s

1950s residential estate included on the fringes of the campus which includes a primary and secondary school  
Approximate walking/cycling distance to the city centre from the centre of University Road 2.7km via Heslington Road

**Dominant Housing Types:** 1950s housing estate, one to two storey detached and semi-detached dwellings within planned estate featuring front and rear gardens, driveways and garages. Also a small amount of 21st century housing off Visual Link

**Other Key Building Types:** Mid 18th to early 19th century educational, recreational and residential campus buildings  
Designated Heritage Assets: Siward's Howe (SAM 28623)

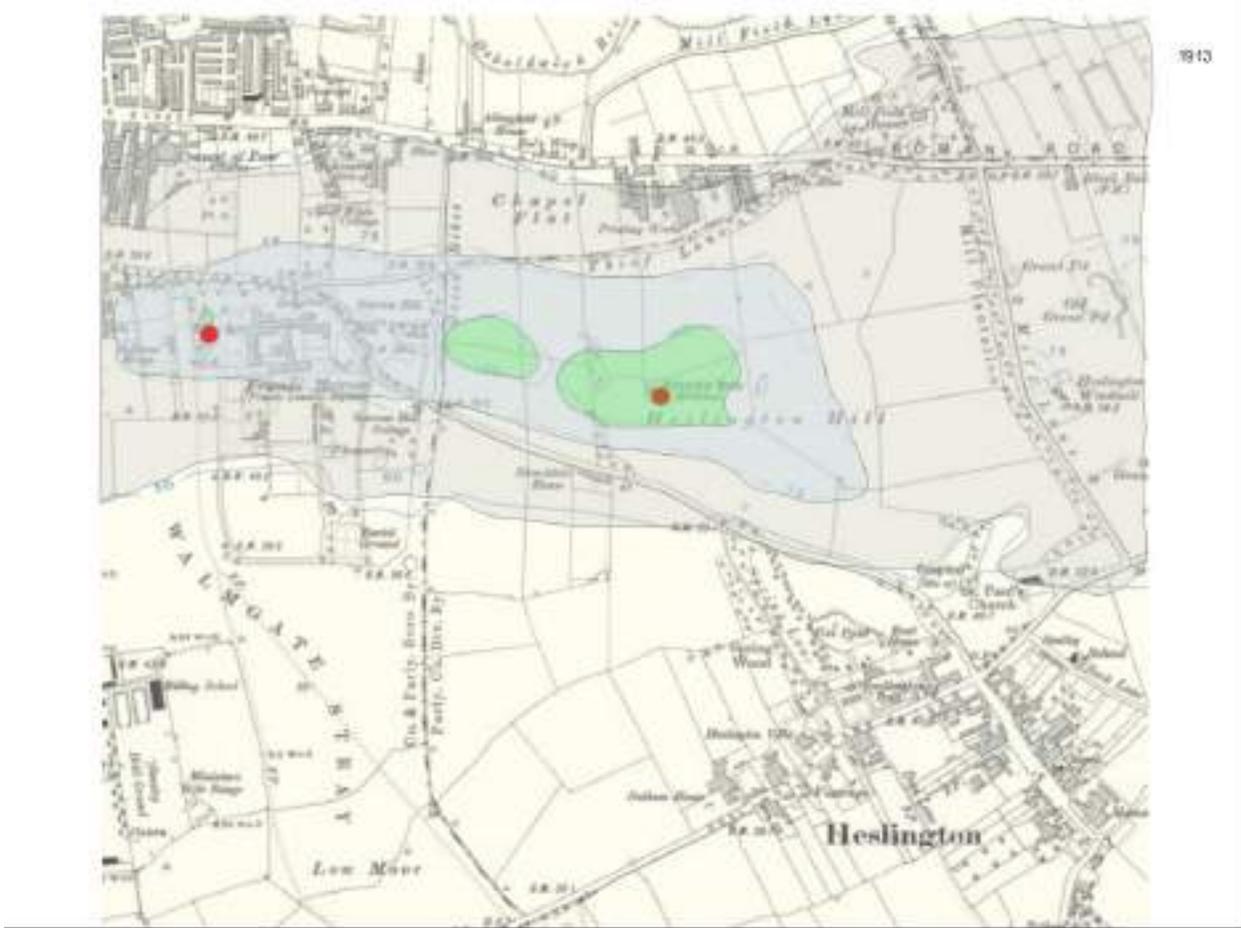
**Non-designated Heritage Assets:** Significant archaeological deposits relating to the prehistoric, Roman and medieval period, sculptures and university buildings used by generations of students since 1962

**Key Views:** Near and distant views of Heslington Church spire and University boiler room east from Heslington East

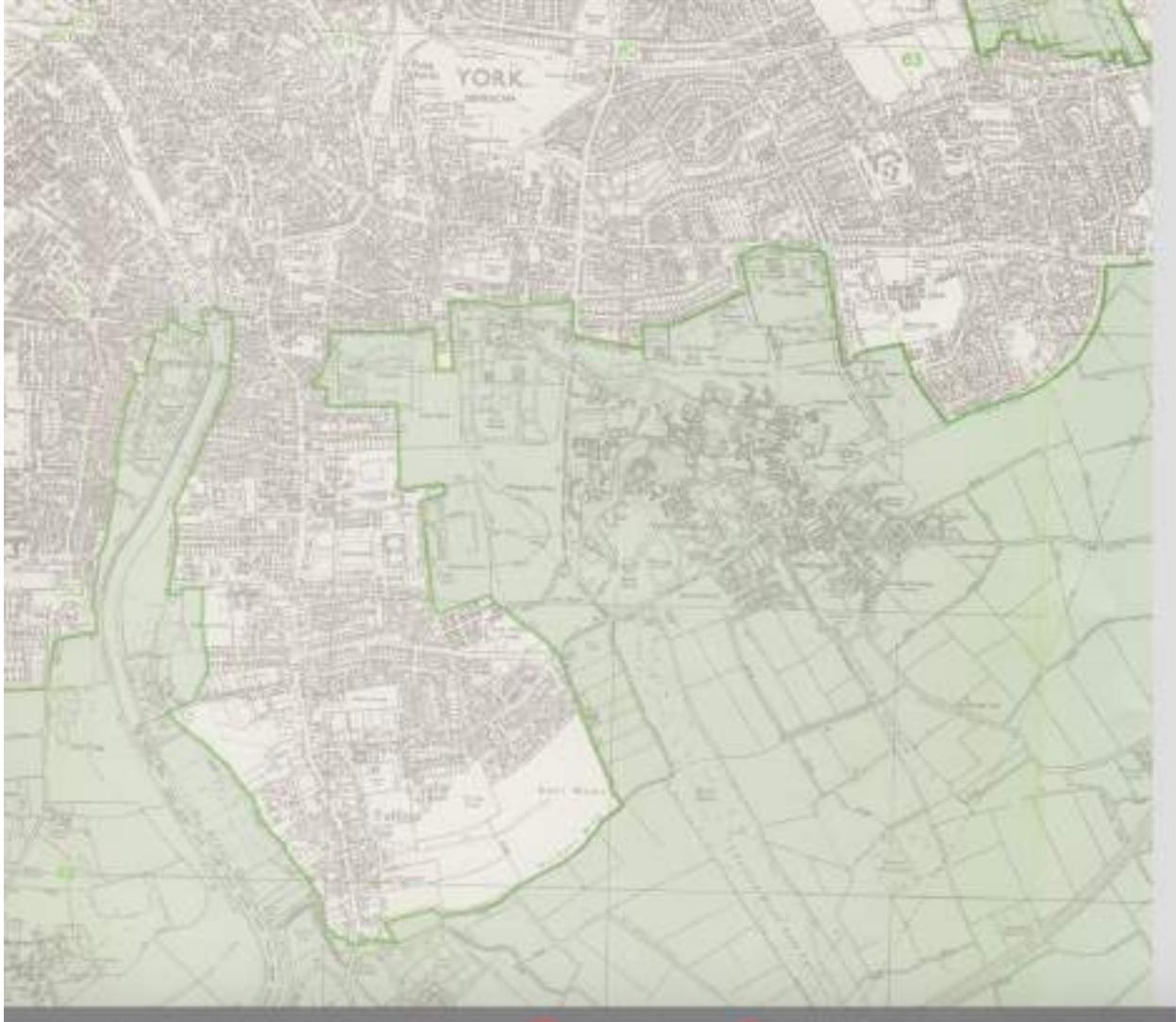
**Surviving historic roads and tracks:** Hill Road and Reed Lane

1913 Map :

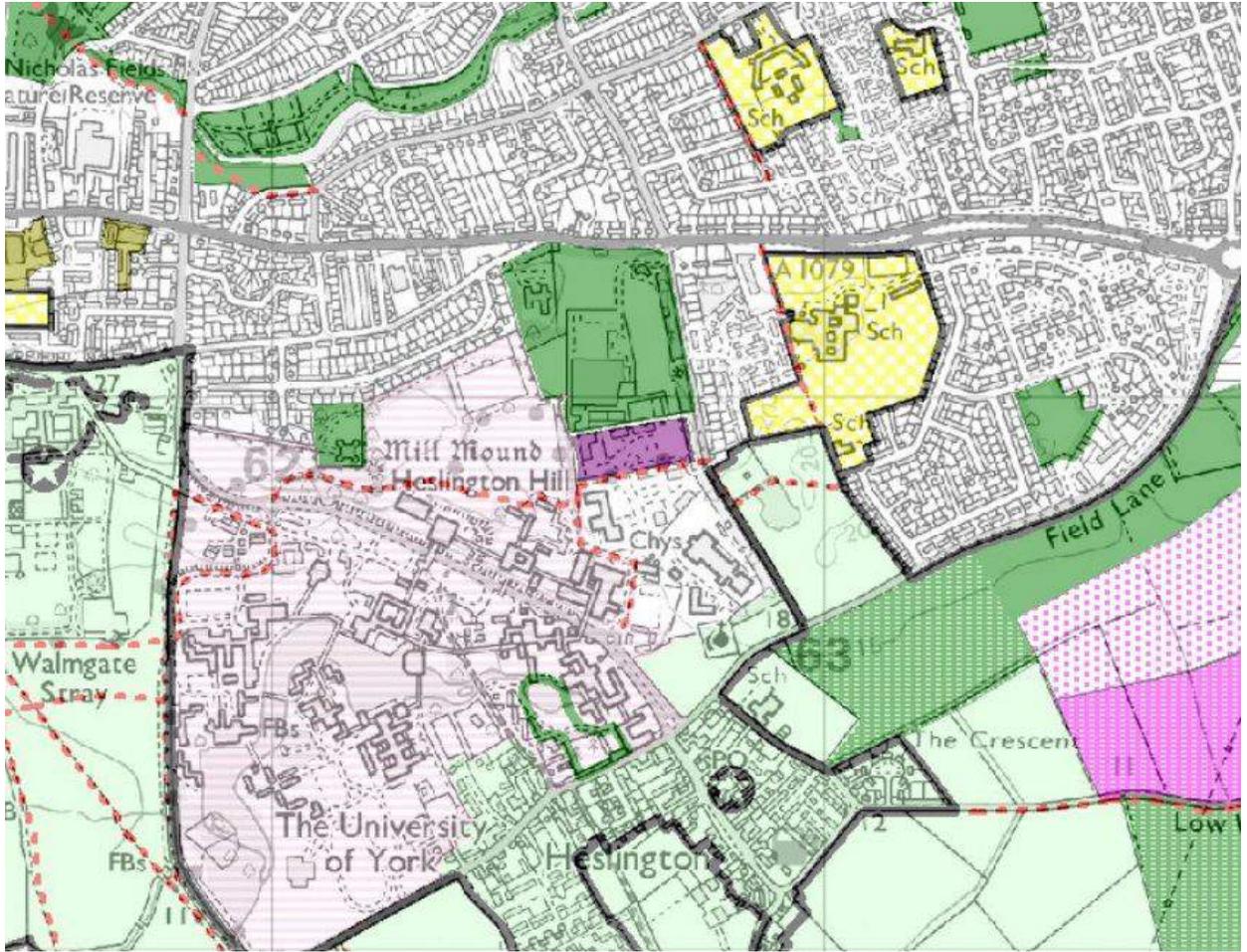
(Shows elevation of ground around Siward's Howe/Heslington Hill also the Characteristic trees of the Mill Plantation )



Green Belt Local Plan 1991/1995 (post modification):



2005 Draft Local Plan Proposal Map (Development Control Plan)

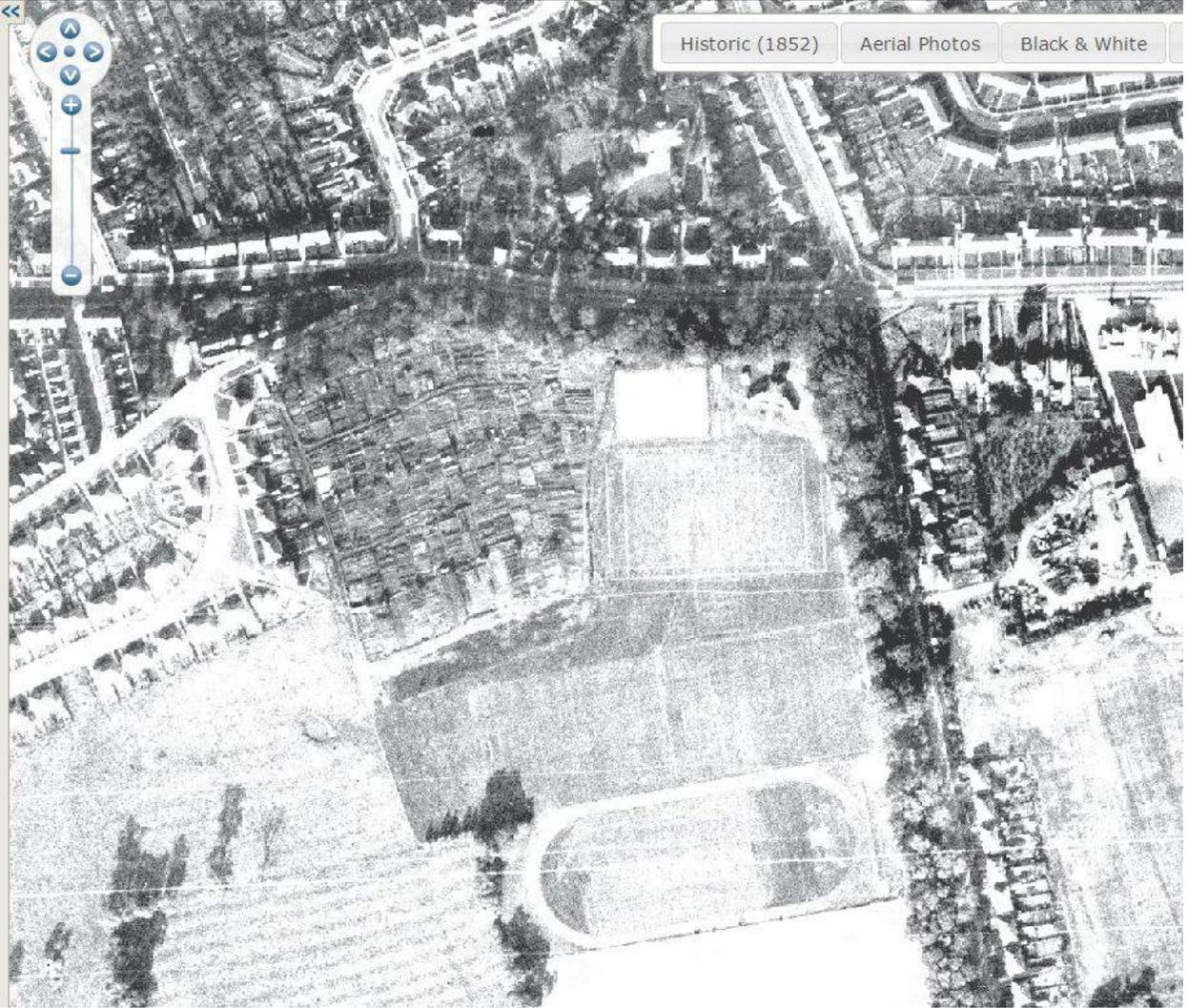












Historic (1852)

Aerial Photos

Black & White

2.2.2 The appraisal makes use of a colour coded key to present a quick visual summary of the potential likely impacts without mitigation. Where impacts are likely to depend heavily on implementation, this colour coding may show 2 or even 3 possible outcomes; explanatory comments are included within the supporting text.

Figure 2. Heritage Impact Appraisal structure

Policy Theme or Site	1. Strong Urban Form	2. Compactness	3. Landmark Monuments	4. Architectural character	5. Archaeological complexity	6. Landscape and setting	Likely Impacts	Mitigation
Eg Section 3 Spatial Vision								
<b>Impact Key:</b>								
	<b>Significant Positive:</b> Potential for significant positive benefit through enhancement as well as adding value.							
	<b>Positive:</b> Potential for positive benefit through enhancement as well as adding value							
	<b>Minor harm:</b> Potential for harm to historic character and significances but identified policy framework in place to provide mitigation							
	<b>Serious harm:</b> Highly likely to cause significant harm leading to loss of historic character or substantial harm to its significance.							
	<b>Neutral:</b> Negligible impact and negligible benefit							
	<b>Unknown:</b> There is insufficient information to determine an impact							

City of York Local Plan pre-publication (Reg 18 consultation) Heritage Impact Appraisal

Site ref	Allocation Reference	Site Name	Latest Assessment stage	Characteristics						
				1	2	3	4	5	6	
		Lane Elvington	boundary							
182	H46	Land to North of Willow Bank and East of Haxby Road, New Earswick	Further Sites Consultation,	○	○	○	-	○	-	-
946	H52	Willow House EPH, Long Close Lane	Preferred Options Consultation )	○	○	-	-	-	-	○
83	H53	Land at Knapton Village	Preferred Sites Consultation	○	○	○	-	○	-	○
64	H55	Land at Layerthorpe	Preferred Sites Consultation,	○	○	-	-	-	-	○
138	H56	Land at Hull Road	Preferred Sites Consultation	○	-	+	○	-	-	○
938	H58	Clifton Without Primary School	Post Preferred Sites Consultation,	○	○	○	-	-	-	○
936	H59	Queen Elizabeth Barracks – Howard Road, Strensall		○	○	○	-	-	-	-

earl. Indeed in many of the suburbs and satellite villages near the city, such as Clifton, Newbiggin, extramural Walmgate, Heslington, and Fulford, the estates of the earls were closely intertwined with those of the archbishop and canons of the Minster, even to the point that their tenants shared in the cultivation of common fields such as the 'Northcroft', which lay off modern Lord Mayor's Walk, or the fields of Walmgate and Heslington to the south-east of the city (Map 9).<sup>146</sup> Other parts of the earl's estate were adjacent to the crown fee, such as the earl's holdings in Gate and Water Fulford, which were adjacent to the king's riverside holdings in Fishergate.<sup>147</sup> The earl's presence in these eastern suburbs was even commemorated in the name Siward's **Howe** for a prominent hill that overlooks the main south-eastern approach to the city from the Humber.<sup>148</sup>

The pre-Conquest estate of the earl of Northumbria thus consisted of a principal residence in the city and agricultural estates within satellite manors around the city from which it could be easily supplied.<sup>149</sup> This must have been created after the formation of the earldom after 954, and possibly as late as its tenure by Siward between 1023 and 1055, during the reigns of Cnut and Edward the Confessor. The church of St Olaf can only have been dedicated after the saint's death in 1030, and more probably after 1035.<sup>150</sup> It has been argued that Cnut was particularly associated with the promotion of Winchester as a royal capital, including the improvement of a number of churches there, and it is not inconceivable that Siward pursued a similar policy towards the elevation of a northern capital.<sup>151</sup> The likelihood that the earl's York estate was established during Siward's lifetime is further suggested by the naming of certain prominent features in the landscapes of Heslington and Fulford after him, especially the prominent hilltop Siward's **Howe** overlooking one branch of Ermine Street (now Hull Road) as it approached York.<sup>152</sup> Siward was a notably loyal ally of both Cnut and Edward the Confessor, and invaded Scotland in defence of the claim of his nephew, Malcolm Canmore, to the

<sup>146</sup> For the shared cultivation of these common fields between different parishes see pp. 47 n. 119, 78–9. The name Northcroft implies that its position was imagined in relation to the Minster and the walled city to its south.

<sup>147</sup> VCH, *East Riding*, iii:29–36. The authors of the VCH suggest that a prominent hill on the earl's estate in Fulford was known as Siward hill, or **howe**, by 1546, rather than the hill in Heslington, but there is clear later medieval evidence to the contrary: see following note.

<sup>148</sup> VCH, *East Riding*, iii:66–74. The name Siward **Howe** applied to a hill in Heslington is said, by the authors of the VCH, to be a misnomer of modern origin. However, there are several medieval references. In 1189×1239 a charter describing 4 acres of land in Walmgate near the church of St Edward mentions Siwardhow (J.Ryl., MSS 220–1, fo 4v). There is a clear reference to the ditch of 'Suwerd **Howe**' as the rear boundary for two scilions, or fields, belonging to St Nicholas Hospital outside Walmgate Bar in 1401, and another reference to the hospital acquiring what were probably the same fields described as near 'Suardeholm Mylne' by 1399: *CPR 1396–99*, 574; *CPR 1399–1401*, 426.

<sup>149</sup> It is notable that, even after they passed to Count Alan, many of these rural manors near the city were managed directly as part of the count's estate and were not sublet to knightly followers of the count: Dalton, *Conquest, Anarchy and Lordship*, 40, 116.

<sup>150</sup> B. Dickins, 'The Cult of St Olave in the British Isles', *Saga-Book of the Viking Society*, 12 (1945), 53–80; B. T. Hudson, 'Cnut and the Scottish Kings', *EHR*, 107:423 (1992), 350–60.

<sup>151</sup> M. Biddle, 'Capital at Winchester', in E. Roesdahl et al. (eds), *The Vikings in England and their Danish Homeland* (London, 1981), 165–70.

<sup>152</sup> See n. 147–8 above.

throne in 1054.<sup>153</sup> The creation of a stronghold for Siward in York would certainly have cemented his status in the north, especially in the absence of a royal base in the city.

The late date of the establishment of the earl's fee means that it is difficult to see any distinctive characteristics in its topography. It shared those of the extramural holdings of the cathedral church, from which it was probably largely taken. However, the presence of the burgh in Bootham, the control of strategic features such as Siward's Howe, and the distribution of rural manors associated with the earls around the city all indicate that this was a substantial settlement intended both to dominate the city and to assert it as a central place of government within the earldom.

As well as a personal stronghold, the earl's burgh might have been used for the public business of the shire. We do not know where meetings of the shire assembled before 1068. It was common practice elsewhere for the shire to assemble at open-air sites, often located on prominent hills outside the county town and closely associated with sites of punishment, especially gallows. There are several prominent public spaces in York that fulfil these criteria and might have been used as an assembly ground. The sites of public gallows in medieval York all occupied prominent, and often hilly, sites on the major approach roads to the city, on the Mount outside Micklegate near the chapel of St James, near Siward's Howe (or Heslington Hill) by the road to Hull, and near the Burton Stone by a chapel of St Mary Magdalen on the main road leading north from Bootham.<sup>154</sup> By the later middle ages these were the places where the citizens of York traditionally assembled to greet important visitors to the city, and it is not inconceivable that there was in fact more than one assembly ground for each of what later became the three ridings of Yorkshire. All these sites were located at places where the jurisdictions of archbishop and earl or (in the case of the Mount) archbishop and king intersected, reflecting the equally important roles played by both bishops and earls in the development of shire government. We might therefore further conjecture that we have here the traces of an ancient landscape of public jurisdiction and penance incorporated into the practices of shire government in its earliest stages in the tenth and eleventh centuries, since certain sites such as Siward's Howe and the Mount are prominent enough to have been features of the pre-Roman landscape.

Two other candidates for shire assembly grounds lay nearer to the city centre, but also occupied sites of shared jurisdiction: the medieval fair ground in Gillygate near the northern approaches to the walled city (Map 14),<sup>155</sup> and an area with a name that implies some kind of assembly ground, the Gildgarthes, which lay on the west bank near Bishophill, and was within the shared jurisdiction of king and archbishop (Map 11). Nearby was the site of the Norman royal house, which was

<sup>153</sup> R. Fleming, *Kings and Lords in Conquest England*, Cambridge Studies in Medieval Life and Thought, 4th ser., 15 (Cambridge, 1991), 49, 55, 58; R. A. Fletcher, *Bloodfeud: Murder and Revenge in Anglo-Saxon England* (London, 2002), 146–9.

<sup>154</sup> R. B. Pugh, 'Prisons and Gallows' in VCH, *City of York*, 491–7.

<sup>155</sup> EYC, i:215.

certainly used for shire assemblies in the twelfth century after the position of earl had been replaced by that of the sheriff.<sup>156</sup>

Finally, there is some slim evidence, discussed in the next chapter, that the strategic site at the confluence of the Rivers Ouse and Foss, which lay in the heart of the king's fee and upon which the Normans built a castle in 1068–9, was also associated with Merleswein, who briefly held the position of earl in 1066.<sup>157</sup> This raises the possibility that the military importance of that strategic site was recognized before the construction of the Norman castle and that it had already been ceded to the earls towards the defence of the city prior to the Norman Conquest of the city in 1068.

The fee of the earl, though not recorded at all in Domesday, was clearly an important and even a dominant feature of the political topography of York on the eve of the Conquest. Unlike the king's fee, it was well provided with rural estates both in the immediate suburbs and the broader rural hinterland of the city, permitting the establishment and provisioning of a permanent household in York. The detailed planning of these suburban settlements likely coincided with the commercial development of the area of York assigned to the crown fee but, rather than being assigned to the king, these rural settlements were instead divided between the Minster and the earldom, possibly in the time of either Archbishop Wulfstan or Earl Siward.<sup>158</sup>

#### SUMMARY: THE LORDSHIPS OF THE ARCHBISHOP, THE KING AND THE EARL

The combined estates of the archbishop, St Peter's Minster, and Christ Church in Micklegate occupied the central places of former Roman imperial power within the walled city, and their estates also dominated the agricultural settlements surrounding the city. This mirrors similar patterns in the pre-Conquest endowment of the minsters in Worcester and London, but not Canterbury, where the cathedral community exercised a much more extensive lordship within the walled *enceinte* and the royal entrepôt lay some distance away at Fordwich.<sup>159</sup> The earl of Northumbria similarly maintained a major stronghold in York, which was supported from rural estates surrounding the city. Almost certainly the earl's holdings had been carved out of the older estates of the archbishop, possibly during the time of Earl Siward, with whom a number of key sites in the city were personally associated.

The areas that remained to the crown seem equally significant. They included three very broad corridors of land in the city's suburbs, extending along the eastern, southern, and western approach roads to the city. In addition most of the

<sup>156</sup> See p. 97.

<sup>157</sup> See pp. 63–4.

<sup>158</sup> For a more detailed discussion of the pre-Conquest development of York's suburbs, see pp. 76–82.

<sup>159</sup> Dyer, *Lords and Peasants*, 11, 25–6, 32; Clarke and Dyer, 'Anglo-Saxon and Early Norman Worcester', 27–30; Brooks, *Early History of the Church of Canterbury*, 23; P. Taylor, 'Foundations and Endowment: St Paul's and the English Kingdoms, 604–1087', in D. Keene, A. Burns, and A. Saint (eds), *St Paul's: The Cathedral Church of London 604–2004* (New Haven, 2004), 5–16.

Ouse can therefore be added to the small list of castle sites in other county towns, including Hereford, Norwich, and Oxford, whose defensive function was recognized before the Conquest and perhaps even where defensive structures were already being built by the 1050s.<sup>21</sup> Such sites and defensive structures commonly incorporated older churches, such as the pre-Conquest church within the precinct of Oxford Castle, or the minster of St Guthlac on the site of Hereford Castle. At York the castle site is associated with at least two older churches; St Mary in Castlegate (which was left outside the precinct of the Norman castle), a second possible church site associated with Anglo-Scandinavian burials, and a later chapel of St George within the castle walls.<sup>22</sup> In all probability then the Percy fee in Castlegate, together with the adjacent site of the Norman castle, represents the shire described in Domesday as being wasted in the construction of the castle, while its association with Harold's reeves, Merleswein, and quite probably either Harold himself or the earl of Northumbria, further suggests that this strategically important site had already been assigned to thegns responsible for the city's defence before the arrival of William of Normandy.

The neighbourhood of the castle was not the only strategically located site that can be identified as belonging to important Northumbrian thegns who played a key role in the years of Conquest. The earl of Northumbria's *burh* was itself strategically located in Bootham, controlling the northern approaches to York by land and water, while the association of the earl with the hill known as Siward's Howe by Heslington overlooked the land approach to York from the south-east (Map 9).<sup>23</sup> Other properties associated with powerful local families were located in prominent positions adjacent to bridges over the Ouse and Foss, or to gateways in the fortifications from which they could control road and river approaches. First there were the estates of Ulf, son of Thorald, outside of Bootham Bar and just inside Monk Bar in Goodramgate.<sup>24</sup> Then there was the shadowy Galman (Colman?), whose name was associated with the site of *Galmanho* at Bootham Bar (Map 6). Until the 1270s, the entrance to the city at this point was commonly described as '*Galmelith*', '*Galmanlith*', '*porta de Galmonlith*', and once as '*Galmhoblith*'.<sup>25</sup> Another urban manor associated with the church of St Denys in Walmgate controlled access to Foss Bridge from the south-east, while another estate associated with St Saviour's Church occupied the road to the east (Map 5). Both were associated with hereditary lawmen whose families retained their status and authority in York across

<sup>21</sup> J. A. A. Goodall, *The English Castle, 1066–1650* (New Haven, 2011), 10; H. C. Darby, 'The Marches of Wales in 1086', *Transactions of the Institute of British Geographers, new series* 2/3 (1986): 259.

<sup>22</sup> York Archaeological Trust, York Archive Gazetteer, *Car Park, Pumping Station, Site Code: 1992-93.14*, [www.iadb.co.uk/gaz/gaz\\_details.php?SiteID=804](http://www.iadb.co.uk/gaz/gaz_details.php?SiteID=804); York Archaeological Trust, York Archive Gazetteer, *Land adjacent to Female Prison, Site Code: 1998.32 YORYM*, [www.iadb.co.uk/gaz/gaz\\_details.php?SiteID=1059](http://www.iadb.co.uk/gaz/gaz_details.php?SiteID=1059)

<sup>23</sup> See pp. 52–3.

<sup>24</sup> See pp. xxvi, 142–3.

<sup>25</sup> BL, Cotton MS Nero D III, fos. 127–128v. Galman derives from Anglo-Scandinavian personal name: A. H. Smith, *The Place-Names of the East Riding of Yorkshire and York*, English Place-Name Society, 14 (Cambridge, 1937), 288.

## HESLINGTON VILLAGE DESIGN STATEMENT

This whole area, with paddocks on both sides, allotments and other fields, forms a vitally important green lung, ensuring a natural break between the Holmefield Estate, Halifax College and the houses on the west side of the Village Main Street [South].

The Outgang forms a natural corridor for the movement of wild life to and from the fields to the south of the Village. These areas and the gardens alongside Boss Lane, support a very wide variety of bird life. This natural corridor is continued across Main Street, west into Spring Lane and then to Spring Wood.

The large gardens of many of the houses in the Village add to its open nature as well as providing additional havens for wildlife. Those on the east side of the Main Street [South] are of particular interest and value in that they follow the boundaries of the long medieval plots running back to School Lane – formerly Back Lane. These plots are an important remnant of the historic village layout and should be protected. The open nature of the Village is again illustrated in The Crescent where the houses are well spaced with large gardens. Panoramic views of the Yorkshire Wolds can be seen across the fields from School Lane and The Crescent.

Tilly Alley, another right of way following medieval boundaries and with well-developed hedgerows, leads from Main Street [South] to the Lord Deronore's School which is surrounded by its playing fields. These, together with the area formerly used as allotments and the open fields beyond, link up with those behind The Crescent and continue the green open area to the Outgang and the fields to the south.

To the north of the school is St Paul's Church, which is set back from the road, with fields to three sides. The Village's rural character, keeping it separated from the City of York, is emphasised by two green wedges – on the west by Wilegate Stray, Palford Golf Course and the Sportsfields and to the north-east by the playing fields of York St. John College, the University fields and the fields around the Church. The loss of a large section of the north-east wedge to the Science Park and the Next Generation Sports Complex, emphasises the need to retain the rural space that remains around St Paul's Church and the rest of the Village.

The Church is of central importance to the quality of the Village. Not only is its architecture highly valued by the community, but its rural setting is also seen

as vital to the village ambience. The large field between the Church and Heslington Hall is frequently used by the community for a variety of recreational pursuits, including informal ball games and picnics. The field is a water meadow and during winter months becomes flooded. It is home to a traditional Bonfire Night celebration and the annual Church fête. It is highly prized as a large uninterrupted open green space.

The Church is framed by many fine and mature trees which make a major contribution to the environment. The views of the Church through the trees are highly valued. These line the field to the west and, together with the those to the north, form a defined space and appropriate setting. Many of the mature trees in the Village are already the subject of tree preservation orders, although those in the large field in front of St Paul's Church and those lining Field Lane are not specifically designated. Conservation area protection is afforded to some of these trees.

Substantial sporting facilities are available in and around the Village. These include the University facilities (some of which are open to the public), Heslington Sportsfield, the Next Generation Sports Centre, a fishing lake, Palford Golf Course and a number of bridleways.

2 3G pitches needed for academic courses at Haxby Road:



## Pres Blog | Removal of the AstroTurf pitch

In 2016/17, York St John University has welcomed 15 students onto a 3 year programme that combines business management and football, working alongside Q2. The Academy has committed to delivering a minimum of 50 students per year in the future and would like to locate a permanent academy at the Hasby Road Sports Centre. By 2020, there could be 150 Q2 students on campus originating in the USA, generating in excess of £1.5 million of annual income for the students of York St John University.

Options have been explored with Q2 on how YSJU could accommodate this rapid expansion in student numbers, in the context of increased competition from elsewhere. The possibility of temporary floodlights or the use of external facilities have been examined, but the conclusion from Q2 is that the only way to satisfy the needs of this programme is to convert the all-weather pitch on-site into an additional 3G facility, primarily for football. This has implications for Hockey provision (currently 27 students would be directly impacted with the loss of 1.5 hours plus BUCS matches), which YSJU are committed to resolving, but all other activities currently scheduled for the all-weather facility can be undertaken on 3G. However, a number of those members involved with the SW5 programme may be impacted upon financially. The 3G surface is designed to be played on with moulded studs, rather than AstroTurf trainers. This could have a damaging effect on student experience in the transition from this academic year to next.

I would invite students who wish to talk to University staff members about this project and the implications it might have to attend York St John Students' Union's Open Zone on Monday 27<sup>th</sup> March at 16:00 in HSD13 (Holgate).

**Laurie Ellingworth**

President of York St John Students' Union 2016/17

**From:** York Cycle Campaign [REDACTED]  
**Sent:** 04 April 2018 23:58  
**To:** localplan@york.gov.uk  
**Subject:** York Cycle Campaign response to draft Local Plan  
**Attachments:** York Cycle Campaign Response to York Local Plan 2018.docx; Comments\_form\_FINAL - T5.docx

Dear Sir/Madam,

Please find attached the response to the draft Local Plan from the York Cycle Campaign. Grateful if you could acknowledge.

On behalf of York Cycle Campaign



**Website** [www.YorkCycleCampaign.bike](http://www.YorkCycleCampaign.bike) | **Twitter** [@yorkcycle](https://twitter.com/yorkcycle) | **Facebook** [yorkcyclecampaign](https://www.facebook.com/yorkcyclecampaign) | **Email** [YorkCycleCampaign@gmail.com](mailto:YorkCycleCampaign@gmail.com)

We believe Policy T4 (Strategic Highway Network Capacity Improvements) is unsound for several reasons:

1. By accommodating forecast levels of car use that are simple extrapolations of current levels, without taking into account any measures to reduce car use, policy T4 makes no attempt to move towards sustainable development as the National Planning Policy Framework requires;
2. Secondly, the first two lines of the Ministerial foreword to the National Planning Policy Framework state that “the purpose of planning is to help achieve sustainable development. *Sustainable* means ensuring that better lives for ourselves don’t mean worse lives for future generations.” As 99.9% of the cars driven in York now and for the remainder of the period covered by this Local Plan will be powered by fossil fuels, enabling their continued use for all manner of trips, as policy T4 seeks to do, is the very definition (from the NPPF) of unsustainable: the carbon emissions from each car journey facilitated by this policy will remain in the Earth’s atmosphere for hundreds, possibly thousands of years, adversely affecting the lives of dozens of future generations long after the car journey in question. Further evidence that T4 is unsound on climate change grounds can be found in paragraph 30 of the NPPF which states that “Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.” Accommodating forecast increases in car use by increasing road capacity very clearly does not support this requirement;
3. By the very evidence presented in support of the Local Plan, T4’s long-term goal of dualling the entire A1237 is poor value for money (e.g. Options G & H in ‘Transport Infrastructure Investment Requirements Report’ give benefit cost ratios of 0.52 and 0.44 respectively). It is quite astonishing that this long-term goal has nevertheless been included, given that it so clearly fails the soundness test by not being justified. Even more incredible is the paper’s acknowledgement that under its Scenario 2, where modelling was carried out “to include an upgraded A1237 alongside the Local Plan options and proposed mitigation measures modelled for 2031”, “the ORR dualling scheme does little to change the impact within the city centre with many links on the [Inner Ring Road] continuing to operate over capacity” (page 37, ‘Transport Infrastructure Investment Requirements’). This therefore directly undermines the claim in paragraph 14.37 of T4 that “in the longer-term, as more developments come on-stream further enhancements to the A1237 will be necessary to provide substantial additional link capacity to cater for the projected increases in traffic. This additional link capacity will improve traffic flow and journey time reliability along it such that it will draw more cross-city traffic away from the radial routes and inner urban routes” (emphasis added). Further shocks await in paragraph 4.4 of the same document, where it states that “dualling does not improve the journey time clockwise against the base,” because “some junctions on the A1237 require further upgrades over and above that modelled in Scenario 1 to unblock traffic from the dualled carriageway.” So yet more money would be required to achieve the ‘benefits’ of dualling the A1237, but this conclusion is not acknowledged by the policies in T4. All these deficiencies further render T4 unsound;
4. As the first paragraph of Policy T4 states, the improvements in this policy seek to “improve journey time reliability on sections of the road network that experience high volumes of traffic or delay.”. Such congestion makes using private cars as transport less attractive; seeking to ease congestion by increasing road capacity by contrast makes using private cars

more attractive, in a process called 'induced demand'. By making the use of private cars more attractive thus, the strategic highway network capacity improvements are incompatible with the aims of the Local Plan and the National Planning Policy Framework;

5. The evidence base for policy T4 has other flaws too:
  - a. Table 13 in paragraph 5.2 of the paper 'Transport Infrastructure Investment Requirements', showing York's Transport Modal Share, appears to misquote the Census 2011 figures it purports to represent. It gives car/van/taxi/motorcycle share as 52% even though the worksheet 'QS701EW\_Percentages' from the ONS spreadsheet 'Table QS701EW' gives this combined percentage as 36% and the combined walk/bicycle share as 20% rather than 29%. This is significant because it noticeably overstates the use of cars to travel to work in York: rather than constitute a small majority of modal share in traveling to work, car/motorcycle/taxi users are actually a clear minority of such users. Yet the policies of T4, including the long-term goal of dualling the A1237 at an estimated cost of £250m, is geared entirely around this minority of users, who choose to use an unsustainable mode of transport. Again, this cannot be considered to be a justified (i.e. it is unsound) use of public resources (land, capital spending, revenue spending to mitigate the wider costs of car use such as pollution, congestion, sedentary lifestyles etc);
  - b. As the paper 'Transport Infrastructure Investment Requirements' acknowledges in paragraph 2.3.1, there are several limitations to the combined SATURN and CUBE transport model used by the City of York Council:
    - i. It does not explicitly model walking and cycling;
    - ii. It does not fully take into account any decision of whether to not make a trip or to change the time when a trip is made (peak spreading);
    - iii. Trip elasticities (i.e. the propensity to change modes) for car users may not reflect the impacts of increased congestion in the future, as these may change if congestion increases substantially;
    - iv. It makes broad assumptions for proposed connections to the network from new development (specific junction details of new developments are not modelled);

These are major weaknesses of the model which undermine the real-world relevance of the model's forecasts, yet no account is taken of these limitations in the paper's recommendation that its unadjusted forecast growth in car use be accommodated by the upgrade of junctions on the A1237 and via the dualling of the A1237 in its entirety. This means that not only is T4 not compliant with the NPPF's requirement that Local Plan policies enable sustainable development, the forecasted increases in car use are likely overestimates. This further undermines the soundness of policy T4;

- c. The costs in the cost/benefit analysis performed by Halcrow (see chapter 4 in the document 'Transport Infrastructure Investment Requirements') only appear to be the costs to government of building the infrastructure improvements. They do not cover the costs such road building imposes on society. These costs include carbon footprint, accidents (to the NHS, emergency services, and other drivers in the form of congestion), air pollution, noise pollution, severance of communities, congestion, and the health impacts of increased physical inactivity. They are also substantial: In

2009, the Cabinet Office Strategy Unit estimated these costs to be £38-56bn p/a, while a 2010 DfT report estimated that the marginal external cost of driving to be 15.5p/km (see Table 3.1 in 'The War on Motoring: Myth or Reality', IPPR, 2012). If these costs were included in Halcrow's cost/benefit analysis of dualling the A1237, as indeed they should have been, the costs would have been far higher, the benefit/cost ratios far lower, and the case for the optimistic conclusions reached by paper 'Transport Infrastructure Investment Requirements' that the benefits of dualling the A1237 justify pursuing it, far weaker. Again, this renders T4's long-term goal of dualling the A1237 unsound. By omitting the external costs of car use from its benefit/cost analysis, it also arguably throws into question the soundness of the short and medium-term goals of upgrading junctions on the A1237.

**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.**

Two main, but major changes need to be made to T4:

1. The evidence base underpinning T4 needs to be strengthened, in particular:
  - a. A full consideration of the costs of car use needs to be considered in cost/benefit analysis, including external costs of motoring. This will in turn ensure that policy options are better tested for their sustainability;
  - b. The weaknesses of the base transport model need to be addressed so that the model's forecasts are more realistic. For example, Rotterdam is one city who have successfully updated their transport model to account for cyclists;
  - c. Where Census 2011 data is quoted, they need to be accurately represented for York.
2. T4 needs to move away from the old 'predict and provide' model of predicting rises in traffic and simply providing new roads to accommodate this traffic. It needs to do so because there is overwhelming evidence that any relief is short-term at best, as induced demand quickly generates new trips and congestion levels are returned to previous levels, despite the massive financial outlay of the new roads. But most pertinently for the requirements of the NPPF, it needs to do so because by any measure, car use is not a sustainable form of transport. Its carbon footprint will have lasting adverse impacts on future generations for hundreds of years after the journey in question. Its wide range of other external costs, including air pollution, noise pollution, accidents, physical inactivity and congestion disadvantage generations in the present and more immediate future.
3. I suggest therefore that T4 be rewritten to take inspiration from the best practice found on the European continent: Groningen, a flat, compact, walled city in the Netherlands, shares many characteristics with York, and could be the

template for a revised T4. In Groningen the city is divided into quarters, and cars may not pass from one quarter to another, but must exit the city and travel around the outside to enter the quarter of choice. Alternate inspirations can be found in congestion charging or restrictions on car use (temporary or permanent) in certain parts of York. Transport is after all about the movement of people and things, not cars, particularly when only a third of York's residents use a car to travel to work (this proportion is markedly less in York's inner wards – the traffic they suffer is the result of people from outer wards/outside York being free to drive through their areas). York's Local Plan, guided by the sustainable development imperative of the NPPF, is an excellent opportunity to make this clear.

### **Policy T5: Strategic Cycle and Pedestrian Network Links and Improvements**

Do you consider this policy sound?

We do not consider this policy, T5, to be sound because we do not consider it to be justified or consistent with national policy for the following reasons:

1. The proposed improvements are simply not radical enough to achieve the move to “a low carbon economy” that the NPPF calls for (paragraph 7, NPPF). Evidently, judging by T4, this is because contrary to the requirements of the NPPF, the City of York Council continues to put the car user at the centre of its transport strategy. The consideration of building cycle networks that might reduce capacity of the road network appears not to have been considered, even though this means that almost the entire road network and the bulk of the transport budget is being allocated to a mode (cars/taxis/motorcyclists) that according to Census 2011 figures, chosen by only a third of York residents who travel to work.
2. The extremely timid measures proposed in T5, and the tiny share of the road network allocated to walking or cycling (despite together accounting for 20% of travel to work modal share in the Census 2011) also mean that the policy is unsound on the basis that it doesn't result in a “transport system... balanced in favour of sustainable transport modes” (paragraph 29, NPPF) and it fails to give “encouragement... to solutions which support reductions in greenhouse gas emissions and reduce congestion.” (paragraph 30, NPPF)

### **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.**

3. First of all, proper consideration needs to be given to the needs of York's pedestrians and the evidence base for this Local Plan updated accordingly. We suggest this be achieved via a thorough audit of footpath and pedestrian crossing availability at key parts of the York. It seems astonishing, for example, that there is just one pedestrian crossing at what the

Transport Topic paper (2017) acknowledges is a very busy junction and set to get busier: Clifton Green. Similarly, provision for pedestrians wanting to reach the Aldi supermarket on Water Lane via nearby Green Lane is very poor: they are repeatedly forced to cross the road or walk along the grass verge. This could well be the difference between local residents walking to Aldi or driving to Aldi, and is why such an audit must be carried out to move York's transport system to one which is more "balanced in favour of sustainable transport modes" (paragraph 29, NPPF).

4. Secondly, T5 needs to have far more ambitious proposals for cycle networks. These cycle networks need to be convenient – they need to be where cyclists want them, not where motorists want them to be. They need to be safe, because there is plenty of evidence that suggests lack of safety deters female cyclists: a 2013 survey by Sustrans suggested that "67% of women felt that cycle lanes separated from traffic was the number one thing that will get more women cycling". And they need to be accessible to a wide range of cyclists, from disabled cyclists to cyclists with less conventional bikes, such as cargo bikes and child trailers. That means features like dropped kerbs, and removal of inaccessible barriers (gates that force cyclists to make sharp turns, or dismount, can be impossible for disabled cyclists or those with unconventional cycles). The presence of many such awkward barriers in York could well explain why cargo bikes are a relatively rare sight in York, despite the city's compact, flat nature. These cycle networks can be designed using tools which draw upon real world evidence relating to cycling, such as the Propensity to Cycle Tool, should be utilised in the planning of the strategic highway to allow proper allocation of cycle investment to provide best value for money in providing suitable allocation of infrastructure spending and space to safe and proper cycle facilities that encourage high levels of cycling accessible to all. Another important tool is the forthcoming Cycle Infrastructure Prioritisation Toolkit (CyIPT), funded by DfT and developed by a team led by the Institute for Transport Studies at the University of Leeds. CyIPT uses a map-based, point-and-click interface to suggest what cycle infrastructure would be appropriate for any road in England, accompanied by all the relevant information needed: cost, likely increase in cycling as a result, road width. And unlike the transport models used by the City of York Council (SATURN, TEMPRO, CyIPT is a fully open-source, free tool that is wholly transparent about its modelling approach and assumptions, unlike SATURN and TEMPRO. This means transport planners and interested parties alike have access to the same information, allowing greater scrutiny of proposals and thus a higher chance that the proposed cycle infrastructure will meet the needs of cyclists in York.
  
1. And thirdly, City of York Council planners should not shy from reallocating road space to such cycle networks. While this would represent a culture change for the City of York Council, doing so would undoubtedly make T5 sounder and more in line with national policy, by moving towards a transport system that is more "balanced in favour of sustainable transport modes" (paragraph 29, NPPF). It would, further, be a natural complement to a revised T4 that sought not to encourage more car use by building more roads, but to discourage car use.

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

Policies SS7-SS20: Each of the Strategic Housing Sites identifies the need to provide appropriate connectivity and access in and around the site, however we feel that the appropriate hierarchy of needs is not effectively clear or present in this identification. Each Strategic Housing Site includes a paragraph as a variation of 'Optimise integration, connectivity and access through the provision of new pedestrian, cycle, public transport and vehicular routes to ensure sustainable movement into, out of and through the site', however this gives equal weighting to all transport modes. This goes against paragraph 35 of the NPPF, under Promoting Sustainable Transport, which states that development plans should 'give priority to pedestrian and cycle movements, and have access to high quality public transport facilities', and 'create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones'.

Policy T1: In paragraph 14.14, reference is made to the need to provide an electric vehicle charging point for each off street parking spaces, unless unviable, referencing both the NPPF and the Low Emission Strategy of 2012. However both NPPF and the LES don't specifically refer to electric bikes/cycles (e-Bikes) within the category of electric vehicles. In part this is due to the uptake in e-Bikes occurring in more recent years, with sales of e-Bikes in 2015-16 accounting for 16% of all cycle sales in the UK [Confederation of the European Bicycle Industry, 2017]. A key area in which e-Bikes have enabled greater uptake is in those with mobility issues such as the older persons and those with a disability, as well as those that struggle to cycle longer distances. This in turn has been shown to lead to a reduced reliance on the use of private motor-vehicles which are sometimes unavailable to those that benefit the most from e-bikes [[Kroesen, M. \(2017\). To what extent do e-bikes substitute travel by other modes?](#)].

Policy T9: Policy T9 makes references to electric and low-emission vehicles as potential options for moving freight from consolidation centres to the city centre, citing their compatibility with narrow streets and pedestrian movements. The policy however does not make reference for the potential in this area for the use of cycle based couriers to deliver freight from the consolidation centre to its final destination. 'Last-mile' deliveries by cycle are once again becoming more frequent in cities globally as an effective way of delivering freight of various sizes on-time, in a non-polluting manner and with reduced impact to & from traffic. Research into cycle based 'last-mile' deliveries have found it can replace in the region of 10% of conventional van journeys within 2km areas and reduce 'well-to-wheel' CO<sub>2</sub> emissions by 74% [[Melo S, Baptista P \(2017\) Evaluating the impacts of using cargo cycles on urban logistics](#)].

## **6. (1) Please set out what change(s) you consider necessary**

Policies SS7-SS20: With respect to the Strategic Housing Sites, we suggest the aforementioned paragraphs are revised to highlight a priority should be given during the design and development of these sites to the access and movement needs of pedestrians, cyclists and public transport users, in alignment with the NPPF. We also suggest that the paragraphs sets out the a requirement to adhere to creating layouts which minimise conflict through proper design accounting for speed & volume of traffic, through the use of Home Zones allowing for appropriate segregation where speed/volume can not be managed. Such approaches have already been demonstrated to be effective in the York area, as demonstrated by the Derwenthorpe development in the east of the city.

Policy T1: We would recommend in light of the recent and increasing uptake in the ownership and use of e-Bikes, an equivalent yet separate statement is made in Policy T1 to 14.14 with reference to the provision for secure parking/charging of e-Bikes and unconventional cycles in all developments. A separate statement being suggested on the basis that the viability assessment and thresholds for making provision for e-Bikes and unconventional cycles will differ significantly to the viability of electric-vehicles and should be assessed separately.

Policy T9: We recommend that paragraph 14.62 is expanded to include specific reference to promoting and facilitating the use of cargo cycles, of all types, to deliver freight to and from consolidation centres to city centre locations. As referenced above, delivery in this form will provide a cost viable and sustainable alternative to current carbon intensive delivery methods, in line with the NPPF requirement to 'accommodate the efficient delivery of goods and supplies' [NPPF paragraph 35] and that 'encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion' [NPPF paragraph 30].

# 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	Peter	
Last Name	Sheaf	
Organisation (where relevant)	York Cycle Campaign	
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)

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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.

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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)

We are not in a position to judge this either way and so are willing to trust that the document is legally compliant and complies with 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)

**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.

T1, T4,T5,T9,  
SS7-SS20

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 DOCUMENT

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 DOCUMENT

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:

Many of our representations refer to the paper 'Local Plan Transport Infrastructure Investments Requirements Study' (September 2014). On paragraph 1.1 on page 5 of this document, it states that the paper's author, Parsons Brinckerhoff (PB), would provide technical support at the Examination in Public. As PB may comment on the representations we have made on their paper, we would like the opportunity to reply to any such comments they make so that our replies may in turn be heard by the Inspector.

**Please note:** the Inspector will determine the most appropriate procedure to adopt to hear those who

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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.

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.

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

**From:** [REDACTED]  
**Sent:** 05 April 2018 00:03  
**To:** localplan@york.gov.uk  
**Subject:** Emailing: SP1 Response Form (pdf)  
**Attachments:** SP1 Response Form (pdf).pdf

Please find a pdf copy of my response to SP1 CYC Local Plan (I have also sent the required .docx copy - which is vulnerable to being inadvertently altered by erroneous editing)

Your message is ready to be sent with the following file or link attachments:

SP1 Response Form (pdf)

Note: To protect against computer viruses, email programs may prevent you from sending or receiving certain types of file attachments. Check your email security settings to determine how attachments are handled.

# 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	Mrs	
First Name	Jane	
Last Name	Moorhouse	
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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- 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)

SP1 >The proposed development (either for 1 or 3 permanent plots) constitutes inappropriate development within the green belt as defined under National Planning Policy (NPP) regulations.

>NPP requires "fair and equal treatment for travellers" – not **preferential treatment**. No member of the settled community would be given planning permission/residency rights to occupy the green field site.

- The Greenbelt should be protected unless there are very special or exceptional circumstances – these have not been demonstrated
- The Stables Site lies within a Green Corridor as proposed by **York Biodiversity Action Plan for Life** (pg 44). Elvington Tillmire – District (City) Corridor (5)

FAILURE TO OBSERVE PLANNING INSPECTORATE DECISION

- Planning permission for use of this site as a Travelling Showpeople's (TSP) site was refused twice in 2010 by CYC. Since CYC had historically failed to provide any appropriate TSP plots and the TSP family had an immediate need, the Planning Inspector awarded them a 5 year temporary residence permit in order to allow ample time for CYC to bring forward alternative appropriate (i.e. brown field) sites. He ruled that The Stables must be vacated and returned to its Green Field status by June 2016 at the latest.

## 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)

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.

SP1

**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.

- Planning permission for use of this site as a Travelling Showpeople's (TSP) site was refused twice in 2010 by CYC

**The Planning Inspectorate Report: 14<sup>th</sup> June 2011 – The Balancing Exercise**

*42: Against the proposal:*

- *Harm by inappropriateness, which carries substantial weight*
- *Harm to openness, which carries significant weight*
- *Harm to Greenbelt purposes, which carries moderate weight*
- *Harm to the character and appearance of the area, which carries moderate weight in respect of Appeal A but limited weight in respect of Appeal B.*

*44. The substantial harm to the Greenbelt objectives is such that I do not find that other considerations in this case clearly outweigh the harm identified, and they do not therefore amount to very special circumstances which would justify the grant of permanent planning permission.*

*45. However, given the current lack of sites, and the potential for sites to be brought forward through the development plan process in the longer term a time limited permission would be acceptable. In such circumstances, with the prospect of the site being returned to its former use in the future, the weight afforded to Greenbelt considerations can be moderated, and the balance shifts in favour of development. However, in such a finely balanced case I can only assess the scheme associated with Appeal B as being acceptable. The more extensive layout of Appeal A would be of greater harm, and therefore unacceptable. I believe that a period of 5 years would be appropriate and would recognise the reasonable prospect of sites coming forward through the DPD process.*

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.

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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.

# 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

**From:** [REDACTED]  
**Sent:** 04 April 2018 23:56  
**To:** localplan@york.gov.uk  
**Subject:** Emailing: SP1 Response Form  
**Attachments:** SP1 Response Form.docx

---

Pease find attached my response to SP1 in the CYC Local Plan

Regards  
Jane Moorhouse

Your message is ready to be sent with the following file or link attachments:

SP1 Response Form

Note: To protect against computer viruses, email programs may prevent you from sending or receiving certain types of file attachments. Check your email security settings to determine how attachments are handled.

# 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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## 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	Jane	
Last Name	Moorhouse	
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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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 need to attend the Public Examination?

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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)

SP1 >The proposed development (either for 1 or 3 permanent plots) constitutes inappropriate development within the green belt as defined under National Planning Policy (NPP) regulations.

>NPP requires "fair and equal treatment for travellers" – not **preferential treatment**. No member of the settled community would be given planning permission/residency rights to occupy the green field site.

- The Greenbelt should be protected unless there are very special or exceptional circumstances – these have not been demonstrated
- The Stables Site lies within a Green Corridor as proposed by **York Biodiversity Action Plan for Life** (pg 44). Elvington Tillmire – District (City) Corridor (5)

FAILURE TO OBSERVE PLANNING INSPECTORATE DECISION

- Planning permission for use of this site as a Travelling Showpeople's (TSP) site was refused twice in 2010 by CYC. Since CYC had historically failed to provide any appropriate TSP plots and the TSP family had an immediate need, the Planning Inspector awarded them a 5 year temporary residence permit in order to allow ample time for CYC to bring forward alternative appropriate (i.e. brown field) sites. He ruled that The Stables must be vacated and returned to its Green Field status by June 2016 at the latest.

## 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.

SP1

**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.

- Planning permission for use of this site as a Travelling Showpeople's (TSP) site was refused twice in 2010 by CYC

**The Planning Inspectorate Report: 14<sup>th</sup> June 2011 – The Balancing Exercise**

*42: Against the proposal:*

- *Harm by inappropriateness, which carries substantial weight*
- *Harm to openness, which carries significant weight*
- *Harm to Greenbelt purposes, which carries moderate weight*
- *Harm to the character and appearance of the area, which carries moderate weight in respect of Appeal A but limited weight in respect of Appeal B.*

*44. The substantial harm to the Greenbelt objectives is such that I do not find that other considerations in this case clearly outweigh the harm identified, and they do not therefore amount to very special circumstances which would justify the grant of permanent planning permission.*

*45. However, given the current lack of sites, and the potential for sites to be brought forward through the development plan process in the longer term a time limited permission would be acceptable. In such circumstances, with the prospect of the site being returned to its former use in the future, the weight afforded to Greenbelt considerations can be moderated, and the balance shifts in favour of development. However, in such a finely balanced case I can only assess the scheme associated with Appeal B as being acceptable. The more extensive layout of Appeal A would be of greater harm, and therefore unacceptable. I believe that a period of 5 years would be appropriate and would recognise the reasonable prospect of sites coming forward through the DPD process.*

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](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

**From:** Oliver Corbett [REDACTED]  
**Sent:** 05 April 2018 12:34  
**To:** localplan@york.gov.uk  
**Cc:** Mark Lane; [REDACTED]  
[REDACTED] Claire Linley  
**Subject:** RE: York Local Plan Reps - Site E11  
**Attachments:** E11 Merged.pdf

Good afternoon,

We submitted representations on behalf of Portakabin Limited in relation to the City of York Local Plan Publication Draft Regulation 19 Consultation yesterday afternoon at 12:16 regarding Policy EC1 and Site E11, known as Annamine Nurseries on Jockey Lane. I'd like to correct a small error on the submitted form for this representation, where the agent name has been given as Linden Homes Strategic Land, which should read Portakabin Ltd.

I have attached a revised representation with the error having been corrected. I apologise for the inconvenience that may be caused.

Please can you confirm receipt of this email.

Kind regards,

**Oliver Corbett BA (hons)**  
Planner

T 0113 350 9865

[www.dppukltd.com](http://www.dppukltd.com)



---

**From:** Claire Linley  
**Sent:** 04 April 2018 12:16  
**To:** [localplan@york.gov.uk](mailto:localplan@york.gov.uk)  
**Cc:** Mark Lane <[Mark.Lane@dppukltd.com](mailto:Mark.Lane@dppukltd.com)>; Oliver Corbett <[oliver.corbett@dppukltd.com](mailto:oliver.corbett@dppukltd.com)>;  
[mark.richardson@shepherd-group-properties.co.uk](mailto:mark.richardson@shepherd-group-properties.co.uk); [mark.bly@shepherd-group-properties.co.uk](mailto:mark.bly@shepherd-group-properties.co.uk)  
**Subject:** York Local Plan Reps - Site E11

Good afternoon,

Please find attached our representations on behalf of Portakabin Limited in relation to the City of York Local Plan Publication Draft Regulation 19 Consultation. This submission relates to the site known as Annamine Nurseries on Jockey Lane (E11).

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)		Portakabin Ltd
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Address – line 4		
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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# 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

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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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**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 EC1 insofar as it relates to allocation E11 is **unsound** it that it omits B1b land uses from the range of suitable employment uses identified.

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.

**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

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



# **RESPONSE TO YORK LOCAL PLAN PUBLICATION DRAFT**

**PORTAKABIN LIMITED**

**E11 - ANNAMINE NURSERIES, JOCKEY  
LANE**

# RESPONSE TO YORK LOCAL PLAN PUBLICATION DRAFT

**On behalf of: Portakabin Limited**

**In respect of: E11 - Annamine Nurseries, Jockey Lane**

**Date: April 2018**

**Reference: OC/ML/3098le/R001oc**

**Author: Oliver Corbett**

**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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4.0	ALLOCATION HISTORY .....	8
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Appendix 1 - Site location plan

## Executive Summary

The Council have accepted that the Site known as E11 is available and suitable for a range of employment uses and that development is achievable.

The Landowners wholly **support** the allocation of E11 for employment development under policy EC1.

The Landowners also **support** policy EC1 relating to the Site, and the proposed range of employment uses identified including B1a, B1c, B2 and B8. Having accepted that the Site is suitable for a wide range of employment uses the Landowners are concerned at the lack of provision for B1b uses, which was proposed in earlier drafts of the Local Plan. They are concerned that there are no justifications for not including B1b or for the removal of B1b uses being supported at the Site.

The Landowners therefore **object** to the omission of B1b uses and suggest that policy EC1 is changed such that the full range of typical employment uses are supported.

## 1.0 Introduction

- 1.1 DPP are submitting this representation on behalf of our client, Portakabin Limited (“the Landowners”), in respect of various issues contained in the City of York Local Plan Publication Draft 2018 Consultation (“the Local Plan”) and in particular their interests in the Annamine Nurseries site on Jockey Lane (E11) (“the Site”). E11 is shown on the plan attached at **Appendix 1**.
- 1.2 The City of York Council (“the Council”) have accepted that E11 is available and suitable for economic development and that development is achievable and as such the Council propose to allocate E11 for employment uses in the York Local Plan Publication Draft (2018).
- 1.3 The Landowners wholly **support** the allocation of E11 for employment development under policy EC1. The Landowner also **supports** the inclusion of B1a as being a suitable land use on the Site in addition to B1c, B2 and B8.
- 1.4 The Council, having accepted that the Site is suitable for a wider range of employment use and indeed having previously accepted that B1b uses were suitable, now propose to omit B1b uses. The Landowners **object** to the omission of use class B1b as a suitable employment use. The Landowner proposes a modification to Policy EC1 such that the suitable employment uses for the Site include B1a, B1b, B1c, B2 and B8.

## 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 (“E11”)

- 3.1 The Site extends to approximately 1ha and sits at the western edge of a large area of employment land. Annamine House is situated within the site in the south-western corner, adjoining Jockey Lane. In this regard the Site is bounded by Jockey Lane to the south and employment land to the north, east and west.
- 3.2 The Site is relatively flat and constitutes previously developed land, being used as a show village for portable holiday homes. The Site, excluding Annamine House itself, is now vacant as it was cleared in 2012.
- 3.3 The site is shown on the plan attached at **Appendix 1**.

## 4.0 Allocation History

### The City of York Preferred Options (“Preferred Options 2013”)

- 4.1 Within this document the Site is identified by the Council as an employment allocation known as E11. The Site is shown as having a site area of 1ha. The Preferred Options 2013 draft indicates that the Site is available for development across the lifetime of the Local Plan, with suitable employment uses listed as being B1b, B1c, B2 and B8.
- 4.2 The Preferred Options 2013 draft therefore omitted B1a land uses but included B1b, B1c, B2 and B8.

### The City of York Publication Draft Local Plan (2014) (“the 2014 Publication Draft”)

- 4.3 The 2014 Publication Draft version of the Local Plan was taken to a Local Plan Working Group on the Monday 22<sup>nd</sup> September 2014 which was followed by a Cabinet meeting on Thursday 25<sup>th</sup> September 2014. The 2014 Publication Draft was presented to Scrutiny Panel on Wednesday 8<sup>th</sup> October 2014. At all of the above stages the 2014 Publication Draft was approved by members of the Council. However, following a Full Council meeting on 9<sup>th</sup> October 2014 progress on this version of the Local Plan was halted.
- 4.4 At the time that work on the Local Plan was halted the Council had reaffirmed the allocation of the Site for employment use. Policy EC1 ‘*Provision of Employment Land*’ indicates that the Site is appropriate for research and development, light industrial, storage and distribution uses (B1b/B1c/B2/B8).
- 4.5 The 2014 Publication Draft therefore also omitted B1a land uses but included B1b, B1c, B2 and B8.

### Preferred Sites Consultation Document (2016) (“The Preferred Sites Document”)

- 4.6 Within this document the Site is again identified by the Council as being an employment allocation. However, the land uses of the allocation have been altered to incorporate B1c, B2 and B8 (including an element of B1a if associated with existing uses) only.
- 4.7 No reason is given for the removal of the B1b use class (research and development) from the land uses identified as being appropriate on the Site or limiting B1a uses to that associated with existing uses adjoining the Site.

## **The City of York Local Plan Pre-Publication Draft 2017 (“The Pre-Publication Draft”)**

- 4.8 Within this document the Site is again identified by the Council as being an employment allocation. The land uses deemed to be suitable in this iteration of the Local Plan are given as being ‘B1a, B1c, B2 and B8’. The reference to elements of B1a if associated with existing uses was omitted.
- 4.9 No reason is given for the omission of the B1b use class (research and development) from the land uses identified as being appropriate on the Site

## **The City of York Local Plan Publication Draft 2018 (“The 2018 Publication Draft”)**

- 4.10 Within this document the Site is again identified by the council as an employment allocation. The text of the allocation has not been changed between the Pre-Publication Draft and the 2018 Publication Draft.

## 5.0 Policy EC1

- 5.1 Policy ‘**EC1 – Provision of Employment**’ sets out a range of employment sites. It divides these into strategic sites and other sites. E11 is identified as an ‘other site’. The text to the part of the policy that deals with ‘other site’ states that

*“Provision for a range of employment uses during the plan period will be made on the following other sites (edited to include only E11):*

Site	Floorspace	Suitable Employment Uses
<b>E11: Annamine Nurseries. Jockey Lane (1ha)</b>	<b>3,300sqm</b>	<b>B1a, B1c, B2 and B8.</b>

- 5.2 The Landowners fully **support** EC1 insofar as it identifies land suitable for employment use and allocates E11 for employment development. The Landowners also **support** the inclusion of B1a land use within those land uses considered suitable on the Site. However, the Landowners are concerned regarding the omission of B1b uses from the allocation known as E11.

- 5.3 B1a and B1c uses are identified by the Local Plan as being suitable land uses on the Site.

- 5.4 The Town and Country Planning (Use Classes) Order 1987 states:

*“Class B1. Business*

*Use for all or any of the following purposes—*

- (a) as an office other than a use within class A2 (financial and professional services),*
- (b) for research and development of products or processes, or*
- (c) for any industrial process,*

*being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.”*

- 5.5 If the Site is suitable for B1a and B1c uses it must also be suitable for B1b.

- 5.6 The area in which the Site lies is a major destination for visitors and workers, and includes significant leisure venues, shopping facilities and places of employment including offices and traditional employment uses. The area in which the Site lies acts as a town or district centre. Indeed, the Monks Cross development to the east of the Site, was identified in the 2018 Publication Draft as an out of centre retail destination.

- 5.7 Given the surrounding land uses we can see no reason to limit the proposed uses on the Site to B1a, B1c, B2 and B8 only. There are no circumstances in planning legislation where it would be appropriate to limit the use of a site to any of the sub-classes of B1 and, in the case of E11 this site

is entirely appropriate and able to support research and development of products and processes under a B1b use.

- 5.8 In the Preferred Options 2013 draft E11 is identified as being suitable for a range of employment uses including B1b. The 2014 Publication Draft version of the Local Plan also identified the Site as being suitable for a range of employment uses including B1b. A B1b land use was therefore deemed suitable by the Council on the Site in the past.
- 5.9 No justification has been given as to why B1b uses are no longer deemed suitable or appropriate on the Site. Given the nature of the surrounding land uses it is difficult to see that any justification can be given as it is plainly an appropriate and acceptable land use and indeed the Council previously agreed with this stance.

### Soundness

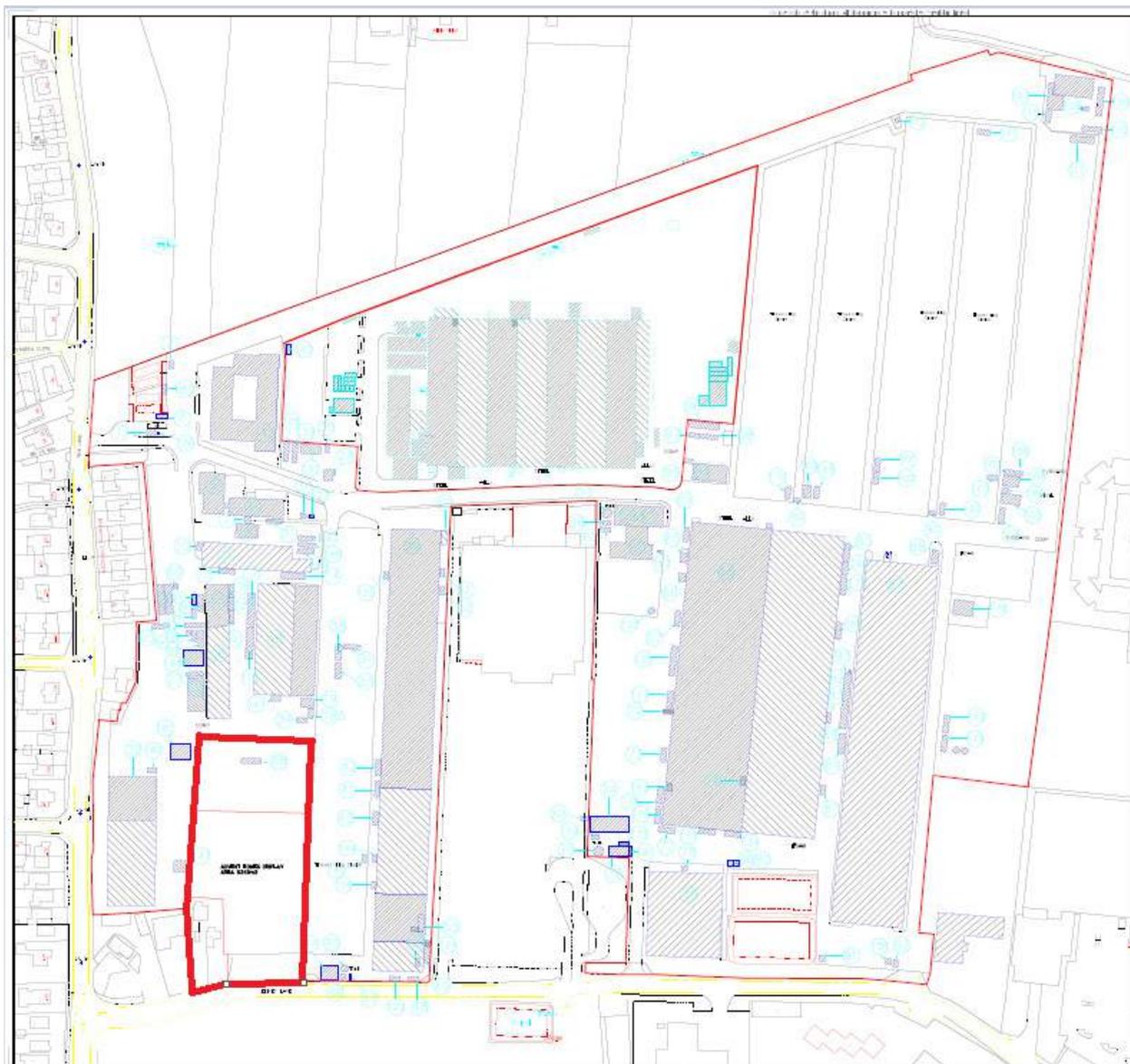
- 5.10 It is considered that Policy EC1 insofar as it relates to allocation E11 is **unsound** in that it omits B1b land uses from the range of suitable employment uses identified. Given that nature of the surrounding land and the allocation history the omission of this land use is plainly not justified and will not be as effective in encouraging economic growth and therefore the plan has not been positively prepared. The allocation is therefore inconsistent with national policy.

### Modification

- 5.11 The wording of Policy EC1 relating to suitable employment uses at Site E11 should be amended to read 'B1a, B1b, B1c, B2 and B8'.

# Appendix 1

Plan showing E11 (outlined in red) within the larger site in possession of the Landowners.



[REDACTED]

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**From:** Thorfinn Caithness [REDACTED]  
**Sent:** 05 April 2018 10:47  
**To:** localplan@york.gov.uk  
**Cc:** Gemma Edwardson; Roy Edwardson; Melanie Edwardson; Admin  
**Subject:** Land East of Selby Road (A19), York - Land available and deliverable for housing  
**Attachments:** Land Bid Letter.pdf; 001.jpg

**FOR THE ATTENTION OF THE LOCAL PLANS TEAM, CITY OF YORK COUNCIL**

Please find attached a letter and location plan in connection with a parcel of land to the east of Selby Road (A19) York.

Edwardson Associates act for Messrs P & D Nicholson, owners of the land.

We note that you have recently consulted on the legal compliance and soundness of your emerging Local Plan.

The purpose of this email and the attachments is to confirm that our client's land is suitable, available and deliverable for housing with a willing landowner. We therefore consider that the site represents a suitable site for residential allocation and inclusion within your Strategic Housing Land Availability Assessments (SHLAA).

Furthermore, in the event that the Council or the Inspector examining the Plan consider that additional land for housing, or alternative sites to those proposed for housing allocation are required, we wish to ensure that you are aware of the availability and positive credentials of our clients' land.

Please note that our clients have only recently acquired the land and have therefore not had the opportunity to identify the site as being suitable and available for housing earlier in the Development Plan process.

The Plan is not yet adopted and remains subject to independent examination, therefore it is important that the Council and the Inspector remain fully aware and up to date with respect to all available sites and their merits, in order to ensure that the Plan is capable of meeting objectively assessed needs. As the Plan process unfolds, from experience, it is common for previously discounted sites to re-enter the frame, and for other sites not previously considered and assessed to become available. Having regard to scenarios of this nature, our client's land scores and performs well relative to others, including sites already proposed for allocation. We therefore consider that it is important that you are made fully aware of the existence, availability, suitability and deliverability of this site.

We would be grateful if you could please acknowledge receipt and please get in touch should you wish to consider the site in more detail.

Regards

Thorfinn

*Thorfinn Caithness BA (Hons) MA Town & Reg Plng MRTPI*

**Edwardson Associates Ltd.**  
**Planning and Diversification Consultants**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This email is confidential and may be privileged. It is intended for the use of the intended recipient only. Any opinions or advice contained within the email are personal between ourselves and the client and may not be relied upon by anyone else, nor held out by third parties as being advice upon which they may have relied. If you receive it in error please call me on 01377 249720, then delete the email and do not copy it or forward it to any third party. I believe but do not warrant that this email and any attachments are virus free. Thank you

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Rachel Macefield  
Local Plan  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

Our Ref: NIC.P.2017.04

29 March 2018

Dear Rachel

**CITY OF YORK LOCAL PLAN 2017 – 2032/33 AND STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT – LAND EAST OF SELBY ROAD (A19), YORK**

**Introduction**

Edwardson Associates act for Messrs P & D Nicholson, owners of land east of Selby Road (A19) York – see attached plan showing the location of this site.

The purpose of this correspondence is to make the City of York Local Plan Team aware that our clients are willing landowners with land that is available for housing and capable of delivery within 5 years.

We note that you are currently consulting on your Local Plan Publication Draft, from Wednesday 21 February, to midnight on Wednesday 4 April 2018. We understand that the focus of this current consultation is limited to legal compliance and soundness.

Given that our clients have only recently acquired their land at Selby Road, they were unaware of the advanced stage of the Local Plan, but they still wish for their land to be considered for housing should the position change. Our clients have not been party to any previous formal call for sites consultations, and therefore have not been in a position to confirm the availability of their land for development.

We note that the Local Plan is not yet adopted and remains subject to independent Examination in Public. We therefore wish to ensure that the Local Plan Team and the Inspector are aware of the suitability, availability and deliverability for housing of our clients' land, should it be the case that further land or alternative sites are required to meeting your housing allocation and 5-year land supply requirements.

The remainder of this correspondence provides details of the site's location and its current opportunities and constraints.

[www.edwardsonassociates.com](http://www.edwardsonassociates.com)  
Email: [info@edwardsonassociates.com](mailto:info@edwardsonassociates.com)

1

### **Site Location and Description**

Please see the attached red line plan showing the location of the site, which is located to the east of the A19 Selby Road, north of the A64, west of Cherry Wood Crescent and south of Fordlands Crescent and houses fronting Selby Road.

The site is approximately 2.1 hectares and is generally flat, elongated in shape with a narrowing at its southern end.

The site is bounded to the north and east by existing housing development and to the south and west by the A64 and A16 respectively.

The site comprises agricultural land and benefits from significant landscape planting and screening along the Selby Road frontage.

The site has an existing agricultural field access located in the North West corner, which provides access to Selby Road.

### **Planning History**

There is no planning history for the site from 1 January 2000 to the present day.

It is understood that the site has been considered and rejected in the SHLAA, 2017, on the basis that the site performs an important green wedge role and function at the edge of the city. Whilst the potential benefits of this function are noted, it is the case that there is already existing housing development immediately to the north and east and there is a mature hedge along the Selby Road frontage which would be retained in any housing development scheme. It is therefore considered that it would be possible to retain and safeguard a significant green edge to the site even with housing development behind. It can therefore be assured that development can be accommodated without compromising the locally distinctive green edge characteristics of the site.

### **Opportunities**

The site is highly accessible and sustainable to the City of York, with excellent access to services and facilities, employment opportunities and public transport.

In landscape terms the site comprises a natural infill / rounding off site, contained by significant pre-existing development of housing and major roads on all sides. It is certainly not the case that development of the site would involve harmful encroach out into the open countryside. The site appears to comprise a logical small edge of city rounding off site in keeping with and reflective of the prevailing pattern of development.

The site does not comprise a listed building or Scheduled Ancient Monument, is not located in a designated Conservation, is not sensitive from a protected species habitat perspective and is not known to be contaminated.

The site is located adjacent to existing housing development and roads and is well screened. Development of the site with housing would be reflective of the prevailing pattern and local

distinctiveness of the area. The retention of the mature frontage planting would ensure that a green edge and green gateway to the city from the south could be maintained.

Development of the site for housing would make an important and significant contribution to helping the Council to meet its 5 year housing land requirements. Other positive sustainability outcomes would include contributions to affordable housing, open space, education and health and employment for the construction industry and allied trades.

### **Constraints**

The site is in the open countryside and falls within the Green Belt. Housing development would be inappropriate and by definition harmful. It is likely to be difficult to demonstrate very special circumstances to justify development of the site for housing, although we would contend that development of the site would not lead to significant loss of openness given the strong frontage planting belt which would be retained in any scheme.

Whilst the site is in Green Belt, this is also true of a number of the Council's preferred allocations. It appears inevitable that Green Belt releases will be required to ensure that the City's housing land requirements can be met over the Plan period. Our clients' land performs no worse, and in many respects better when compared with other proposed Green Belt housing allocations; certainly those which are much larger and more significant in terms of their land take and loss of openness implications.

Part of the site is located in Flood Zone 2, however dwellings are classed as 'More Vulnerable' uses, which are considered appropriate in Flood Zone, subject to the application of the Sequential Test and a site specific flood risk assessment. Large parts of the city are constrained by flood risk, likewise by other significant constraints including the limited land availability within the historic core and other built heritage setting considerations; therefore it is inevitable and necessary that some sites affected by flood will be required to meet housing needs. The fact that the site is in Flood Zone 2 as opposed to Flood Zone 3 elevates the development potential of the site in comparison to other sites at higher risk. Flood Zone 2 sites such as this are considered to be important to future housing delivery requirements and therefore the site should not be discounted purely on this basis.

### **Conclusion**

In conclusion, on behalf of our clients we wish to confirm and emphasise that the identified land off Selby Road is available and deliverable for housing to assist with your 5-year housing land requirements. Our clients are willing landowners and there are no insurmountable constraints to housing delivery at the site.

We note that the site has not been identified as a preferred housing allocation in the emerging Local Plan, albeit we are not sure if a land bid has previously been made and thus whether it has ever been the subject of formal assessment and consideration. Given that your preferred allocations are still subject to independent Examination in Public, and having regard to a possible scenario whereby the Inspector may require additional or alternative sites to be considered and

allocated, we wish to ensure that the merits, availability and deliverability of our clients' land are fully recognised, to ensure that the site can be utilised if needed.

We note that the site has been considered and dismissed within your Strategy Housing land Availability Assessment (SHLAA), 2017, on the basis that it performs a green wedge function at the edge of the city. Notwithstanding this assessment, we strongly contend that the site is capable of delivering a valuable quantum of housing whilst maintaining the important existing green frontage edge, and without materially reducing openness. We would therefore welcome your reconsideration of the credentials of the site as a realistic, available and deliverable housing site option going forward.

Overall, we wish to emphasise the following points: -

- The land is available and deliverable for housing should the Council require additional housing numbers;
- The landowners were unaware of the advanced stage of the Local Plan but wish the land to be considered for housing should the position change;
- The site is an infill plot site and natural rounding off / effective use of land.

We would be grateful if you would acknowledge receipt and we would be pleased to discuss the merits of the site with you further in due course, particularly the valuable contribution it can make to your strategic housing needs and objectives.

Yours sincerely

**EDWARDSON ASSOCIATES**



**From:** Richard Startup [REDACTED]  
**Sent:** 05 April 2018 15:33  
**To:** localplan@york.gov.uk  
**Subject:** Response to York Local Plan  
**Attachments:** Response to York Local Plan - YPB.zip

Hi

Please find attached our response to the Local Plan. I'm sorry this is later than the deadline, but trust that you can accept what we have submitted at this stage.

Kind regards

**Richard Startup**  
**Commercial Manager**  
**York Pullman Bus Company Ltd.**

[REDACTED]  
[REDACTED]  
[REDACTED]



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Please don't print this e-mail unless you really need to.

York Local Plan  
Strategic Planning  
West Offices  
Station Rise  
York  
YO1 6GA

Wednesday 4<sup>th</sup> April 2018

Dear Sir/Madam

## **Response to Consultation on York Local Plan**

We are writing in response to the consultation on the York Local Plan regarding issues we are currently experiencing as a company in providing the services we operate within York and it's surrounding areas and play a key part in delivering sustainable transport within the City.

York Pullman Bus Company Ltd and it's associated businesses Ingleby's Luxury Coaches, J. Dodsworth (Coaches) Ltd and Ideal Bus Company Ltd collectively hold operating licences for 126 buses and coaches from strategically based locations around the City of York.

The collective businesses have an annual turnover of £7.5m and provide employment for approximately 150 staff including management, drivers and maintenance staff. The company is locally owned and managed with profits re-invested locally within York.

We strongly believe that York Pullman Bus Company is a business which is making a very positive contribution to strong economy in York which is one of the three key priorities contained within the Council plan for 2015-9.

We also feel that we have a key part to play in assisting in delivering the aims and objectives of a One Planet Council as set out on Page 4 of the plan.

## **Our Operation within York**

Our operational activities with the city are based on the following

### **Home to School Transport**

Provision of 22 home to school routes for pupils eligible for free transport and attending Fulford (10 buses), Huntington Schools (7 buses) and Archbishop Holgates' School (5 buses) and 5 routes for Tadcaster Grammar School for those pupils living within the City of York Catchment area. Most of this provision is operated as a partnership with the City of York Council, which provides modern, emission friendly buses all fitted with seat belts.



We operate a further 4 routes serving City of York primary school, principally using 16 seater minibuses.

We also provide routes to Manor Academy (2 buses) and Archbishop Holgate's School (3 buses), where pupils pay a commercial fare towards their travel.

### **Home to College Journeys**

Provision of 7 routes to York College with a partnership in place to help with routing and scheduling of services to provide the most effective and efficient routing for students.

Provision of 13 routes to Askham Bryan College bringing students from a wide area to study at his specialist facility.

### **Ad-hoc School Transport**

Provision of a regular and ad-hoc transport to many of the primary and secondary schools with the city, providing good quality services with drivers who are trained and authorised by the City of York Council.

We also have many customers who use us as sole suppliers, such as York St John University and many of the private schools in York

### **Private Hire**

Provision of coach hire to the local population within York for local groups, associations, clubs and many others.

### **Incoming Tourism**

We provide transport for incoming tourists visiting Historic York and arriving into the local rail stations and airport. Examples would be visitors coming to look at the Railway Museum in York and the North York Moors Railway at Pickering, English language students and general tourists.

### **Events**

Because of the large fleet of bus buses and coaches we operate, we are able to meet the requirements of the University of York open days, which provide a Park n Ride service between Elvington Airfield and the Heslington Campus as well as a service linking to the railway station. It can take up to 35 vehicles per day to provide this service.

We also provide the transport to Yorkshire Marathon, again providing a Park n Run service to Elvington Airfield, a shuttle service to the Railway Station and taking spectators and marshalls around the course. Again this can take up to 35 vehicles and 10 ground handlers to meet the requirements.

### **Sustainable Local Bus Services**

We provide a number of bus services in the York area, which are provided in the downtime of our school fleet. One example being service 36/X36, where we provide services linking Elvington and Wheldrake to the City Centre. We have also been

able to work with the Air Museum at Elvington and York Maze to provide bus services as a spin off from this route.

We also provide a service that maintains link between the villages to the West of York with the main shopping centre in York.

### **Emergency Services**

We are the main local provider of buses and coaches to help either local authorities or other transport companies, such as providing replacement buses for rail engineering works and breakdowns, helping move people in the 2014 floods and assisting other coach operators with breakdowns in the York area.

During the floods in 2014, we provided transport to move vulnerable people from their home to rest centres on behalf of the City Council.

### **Meeting environmental issues**

Working with the sustainable transport team at the City of York Council, a successful bid was made to the Green Bus Find for £307,000 which requires additional funding from ourselves. This fund and our investment will retrofit 28 vehicles currently engaged on home to school transport within the City. We have also invested heavily on other vehicles that meet Euro 6 emission levels, which will take the number of vehicles which meet Euro 6 emissions to over 50% during 2018.

These services are delivered from the following bases

Rufforth - 25 vehicles

Strensall – 25 vehicles

Bilborough – 10 vehicles

Boroughbridge – 15 vehicles

Hambleton – 1 vehicle

Market Weighton - 9 vehicles

Fulford – 15 vehicles(Ingleby's)

Fulford – 14 vehicles (Transdev's Yard)

Leeds – 4 vehicles

We also have a maintenance facility in Rawcliffe

In respect of the local plan, we wish to raise the following issues.

### **Policy SS2 and GB1 Lack of suitable strategic operating bases.**

We have listed our current bases. However, we are struggling with planning permission with the sites at Strensall, Rufforth and Bilbrough, which are strategically located to provide services to Huntington School (Strensall) and Manor Academy and Tadcaster Grammar School (Rufforth/Bilborough). Both sites also support the services we provide for North Yorkshire County Council from villages near to these

bases into schools such as Askham Richard Primary School, Tadcaster Grammar School and Ane Primary School.

Both these bases are operated in contravention of planning regulations, as there are no other suitable locally available sites.

Our maintenance base at Rawcliffe is currently rented from the City of York Council and was previously the base for Yorwaste. We operate a maintenance facility at this site, but we do not have planning permission to operate vehicles. This site was also earmarked as a potential operating site for Park n Ride vehicles, which was not subsequently required.

Buses for Fulford School come from our base in Fulford Road (Transdev depot on Hospital Fields Road), and we have been notified that this is short term and we expect to be given notice shortly.

Being able to use these strategic locations enables us to keep journeys short, reducing emissions and we are also better able to deal with breakdowns and other operational problems much more quickly from these local bases.

We strongly believe that the local plan must acknowledge the important part that operations like ours play in providing sustainable transport links and that suitable operating bases must be made available or the current ones approved to protect this vital work.

### **Policy DP2 Sustainable Development**

We currently experience severe delays when using the A1237, particularly the Northern sections, which are unpredictable in duration and can often double our journey times. As a ring road, the A1237 should provide quick and reliable road access to travel round York, rather than drive through the middle of the City. Urgent works need to be done on the roundabouts at Rawcliffe, Clifton Moor, Wigginton, Haxby and Strensall, which are well over capacity at peak times.

During the length of the plan, you are predicting that volume of peak hour traffic will increase by 20% and travel times could increase by a further 30% in the morning peak and delays increasing by 55%. In being able to provide efficient, effective and sustainable transport in this operating environment will become increasingly difficult to achieve.

Whilst we understand the need for growth in housing and the economy, this must be done in conjunction with upgrades to the road infrastructure with particular emphasis on making journey times more reliable and predictable.

### **Policy DP3 Sustainable Communities and**

### **Policy ED6 Pre-school, Primary and Secondary Education**

We serve many school locations, and also provide a number of commercial school bus services to help reduce school gate congestion. However, at times it is nearly impossible to operate and pick up safely at some schools because of the number of cars dropping off and picking up children.

These same cars are also those adding to the peak time congestion. We would ask that work be done to reduce these journeys, with additional emphasis on walking and cycling, which will also have benefits in improving the health of children and a safer environment outside the schools, reduction in congestion and pollution from emissions in sensitive areas.

The provision of additional housing will undoubtedly create additional requirements for taking young people to school and college. We would suggest that these houses are either located within the existing housing areas, where local bus or school buses are already provided and where services can be adapted to cope with additional demand. Alternatively, that the larger groupings of housing be of sufficient size to enable new local bus and school services to be provided. The suggestion of dedicated bus links over the A64, linking directly to areas such as Clifton Moor and the University of York would certainly help with reliable journey times.

### **Policy SS5 Castle Gateway and Policy EC4 Tourism**

There are two main coach parks at Union Terrace and St Georges Field, with another site at Kent Street being closed in the last few years. Under this plan, the parking at St George's Field could possibly become a multi-storey car park. Our view is that the loss of such a site would place great strain on the other coach park and also remove an important 'off street' parking facility for coaches waiting for their passengers.

In addition to parking, there are very few places for coaches visiting the historic sites of the City to drop off and pick up, with Memorial Gardens being the main location and many times is simply unable to cope with demand. As tourism is an important element of the economy of York, the provision of good quality parking for coaches and their visitors needs much more careful consideration and the appropriate facilities provided, which is not happening at the moment.

Finally, there is no point suitable for disabled passengers to get on or off coaches safely. We have seen first hand drivers struggle to find suitable locations, with flat and level access to enable the required lifts and ramps to work effectively.

### **Policy T3 York Railway Station**

Many people use the railway station as the entry point into York. The station has extremely poor facilities for both bus service pick up and drop off points. When providing transport for the University Open Days, we use a site adjacent to the Railway Station, which has limited access and is used by other services, providing a very poor initial view of the City when we should be impressing people and welcoming them.

Transport to York Races, which can require up to 12 buses to meet the demand, runs from a stand on the opposite side of a main road, which access using a Pelican Crossing.

York is a main line rail station, so in periods of emergency requirements, up to 50 coaches can be required to provide emergency back up services. They have to compete with local buses for space, making the space outside the station very crowded and congested, with the area having the potential for serious accidents.

In addition, there is Lack of space for private hire vehicles to pick up and drop off incoming tourists.

We feel that the current arrangements are woefully inadequate for a key main line rail station and an important entry point for people visiting the city.

### **Policy DP3 Sustainable Communities**

We welcome the plans for a strong vibrant economy within York and we currently feel that contribute and are part of this at the present time.

However, we would also want to ensure that the economy maintains a balance within the labour market. Generally a better economy soaks up available good quality labour from the market and as a consequence also drives up labour rates. Transport is generally towards the bottom of the market, despite us already paying above industry standard wages because of the location in which we operate. Within the plan for additional housing, provision must be made for affordable housing that is accessible to those who work within our sector and those of a generally lower socio economic status.

As a result of current circumstances, we struggle to recruit skilled staff who live in the immediate York area. and are increasingly reliant on training our own staff and bearing the increased costs of doing this. Our higher wages costs also make us un-competitive when working outside the immediate York area.

### **Policy ENV 1 Clean Air Zones**

We are currently working with the City of York Council in delivering improvements to Air Quality in the AQMA areas, by the retro fitting of 28 of our vehicles with exhaust emission equipment, which will bring them up to Euro 6 levels.

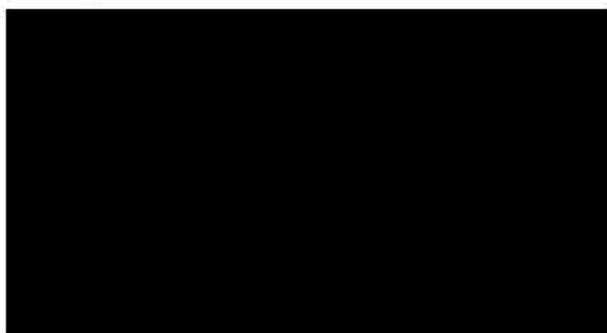
Through investment in our own fleet replacement policy, we will have half of our vehicles meeting Euro 6 emission standards during 2018.

The local plan is about future planning and development, but we want to emphasize the environmental credentials of both buses and coaches, each able to remove the equivalent of 10 car journeys.

Whilst ensuring planning and development can be done in such a way as to give those living in these new developments access to good transport links, we would ask that some consideration be given to developing a system that will allow centres of employment to use park n coach facilities, such as providing parking hubs and enabling journeys across the City linking into the places like the Holgate Park or York Business Park, encouraging people to not use either the ring road or cross the City by car. Whilst the examples given may not be the best available, to should be possible to see the idea behind this.

As a partner to the City of York Council, we are happy to help with any further information and will also happily assist in any further development of the Local Plan moving forward.

Yours Sincerely



Richard Startup

Commercial Manager

**From:** [REDACTED]  
**Sent:** 03 April 2018 19:45  
**To:** localplan@york.gov.uk  
**Subject:** Fw: CYC  
**Attachments:** Final Val Objection 010418.docx; CYC Val Objection form 010418.docx

--- On Sun, 1/4/18, [REDACTED] wrote:

> From: [REDACTED]  
> Subject: CYC  
> To: "vizzard" [REDACTED]  
> Date: Sunday, 1 April, 2018, 11:20  
> SEND TO [localplan@york.gov.uk](mailto:localplan@york.gov.uk) Kind  
> Regards  
> Steve  
> Izzard  
>

# 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

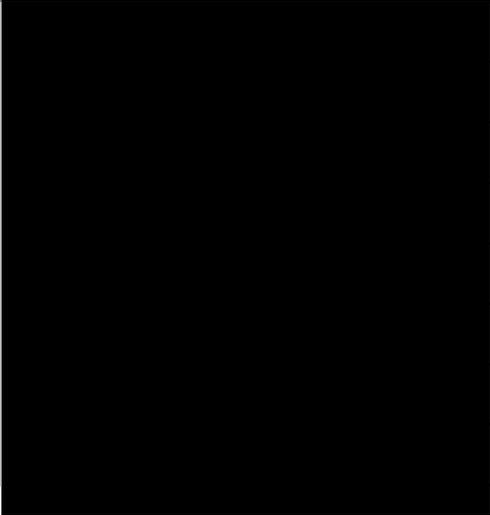
To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments 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	Val	
Last Name	lizzard	
Organisation (where relevant)		
Representing (if applicable)	Self	
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

---

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.	<input type="text" value="3.62-3.68, 3.95-3.97&lt;br/&gt;5.5-5.16"/>	Policy Ref.	<input type="text" value="SS21, SS13"/>	Site Ref.	<input type="text" value="ST15, ST26, H39"/>
---------------	--	-------------	---	-----------	--

**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.

**Objection to the building of 32 houses on Allocation Reference H39, Policies SS21, SS13, and further Allocation References ST15, and ST 26 within the City of York's Local Plan Draft 2018 as follows;**

**Not Justified or Consistent with National Policy**

**This has been marked above by the filling in of the appropriate boxes**

My rationale is attached to this form.

**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.**

**Objection to the building of 32 houses on Allocation Reference H39, Policies SS21, SS13 and further Allocation References, ST15, and ST 26 within the City of York's Local Plan Draft 2018 as follows:**

**Plan is not Justified or Consistent with National Policy**

My rationale is attached to this form.

**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

01 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

Val Izzard

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Objection to the building of 32 houses on Allocation Reference H39, Policies SS21 and SS13 and further Allocation References ST15, and ST 26 within the City of York's Local Plan Draft 2018.**

I fundamentally object to the building of 32 houses on the Green Field site H39 documented within the City of York's Local Plan 2018 and the additional 3339 houses for the following reasons:-

**Lack of Justification and Consistency as follows;**

1. Elvington sits within the Green Belt. This has protected us against excessive development in the past and this should remain. Development proposals were put forward as long ago as 1991, suggesting a number of sites in and around York which could come out of the Green Belt, among which are two which were proposed in the 2013 Local Plan, namely 25 houses at the end of Beckside bordering onto Church Lane and 97 houses between Dauby Lane and Elvington Lane behind the school. Those development proposals did not go through then, but now in the 2018 Local Plan, the City of York council proposes 32 houses on the same Beckside/Church Lane site, despite also proposing 3339 houses less than 1.5 miles away, at Elvington Airfield. There is absolutely no need whatsoever for the 32 houses when 3339 houses are to be built less than 1.50 miles away. **WHAT** has changed from the previous objections and Inspector's Report? A great many residents in the past objected to the 1992/93 plans and then again in 2013. Indeed, the public inquiry in 1992/93 and the Inspector's Report published in 1994 firmly accepted the views of the Elvington residents at the time and ruled against the removal the Elvington sites from the Green Belt

2. How have your reasons for removing this site from the Green Belt changed from previous submissions? I do not believe that the Councils reasons for proposing the removal of the original sites from the Green Belt in 1991 or 2013 stood up to detailed scrutiny, and nor do I believe the removal of the Beckside/Church Lane site does

now. The same issues of disruption to the Beckside estate in particular and Elvington village in general, additional pressures on the local infrastructures, school and surgery, more traffic, lack of public transport to offset the additional traffic, the loss of local wildlife habitat including barn owls and a variety of hawks, **ALL** remain the same today as they were in 1992/93 and 2013. Those objections **ALL REMAIN** valid now. Infact these local facilities cannot cope with the current population with so how exactly do you expect it to cope with over an additional 3400 houses??

3.The proposals for the development of Airfield Business Park and the additional 3339 dwellings **do not have** any supporting infrastructure proposals for road, public transport, schools, doctor's surgery and public amenities all of which are now at over capacity with major issues such as long waiting lists for doctor's appointments, major traffic congestion on Elvington Lane. Your plan for Industrial expansion will further aggravate existing issues with HGV traffic where a consultation to potentially reduce traffic has recently been launched. What do you intend to do – dual the B1228 through Sutton and Elvington up to Grimston?? To propose further dwellings and Industrial capacity with this will result in widespread disruption and a significant reduction of quality of life for the existing residents of Elvington. Not withstanding the negative impact the loss of local wildlife habitat including barn owls and a variety of hawks and decimation of The Green Belt previously referred in section 1 of this correspondence.



425.

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name M. CHRISTIAN

Address... 

Tel No .....

Email ..... 

426

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

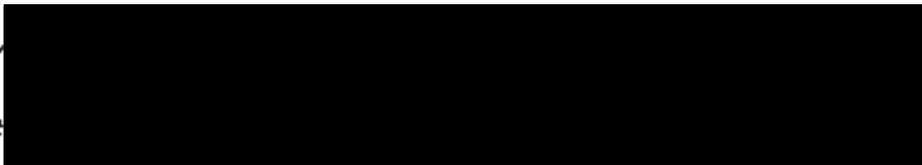
No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name .....



Address .....

Tel No .....

Email .....



4-27

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ~~MR D~~.....MR MOORE.....

Address.....

Tel No ...

Email .....

428

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

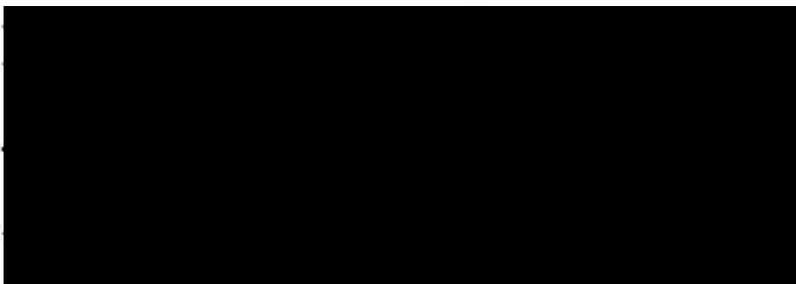
Yes I wish to appear at the examination

Name ..... MR C FORTH .....

Address.

Tel No ...

Email ....



429

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

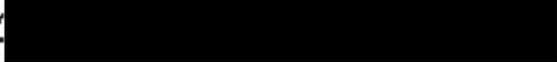
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name F ZANUAR

Address 

Tel No 

Email .....

430

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

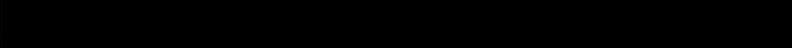
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

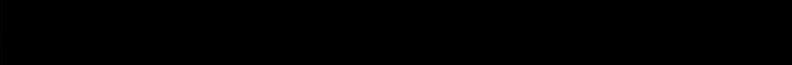
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... MICHAEL JUNE BAKER

Address..... 

Tel No ... 

Email ..... 

431

Do you consider the City of York Draft Local  
Plan Publication SOUND

 Yes No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

 No, I do not wish to participate at the hearing session at the examination Yes I wish to appear at the examination

Name COUNCILLOR DIANA WHITE

Address

Tel No

Email

432

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes  No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

- No, I do not wish to participate at the hearing session at the examination
- Yes I wish to appear at the examination

Name JANE BIRCH

Address ..

Tel No ...

Email .....



433

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name P. Anil B. GAWHAN D

Address 

Tel No 

Email .....

434

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ... C. BICKNELL / D. A. BICKNELL

Address 

Tel No 

Email .....

435

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination  
*NO*

Name ..... *John Cairns* .....

Address..... 

Tel No ....

Email .....

436

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

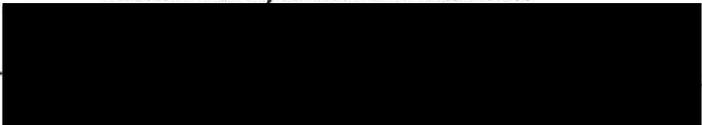
No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name Sarah Cunningham

Address... 

Tel No .....

Email .....

437

## Do you consider the City of York Draft Local Plan Publication SOUND

 Yes No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

 No, I do not wish to participate at the hearing session at the examination Yes I wish to appear at the examination

Name *Mr & Mrs C Pickup*.....

Address

Tel No ..

Email ...

438

SID 438

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

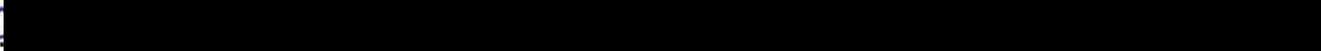
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

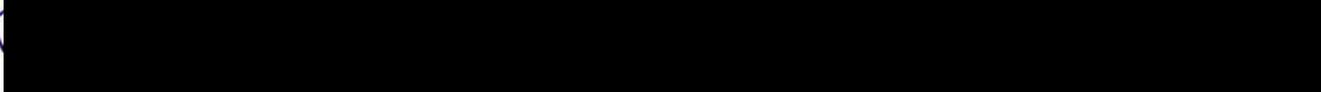
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name Catherine Cooper

Address 

Tel No 

Email 

439

SID 439

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MRS K. PINK

Address... 

Tel No .....

Email .....

440

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MRS. L. TAYLOR

Address [REDACTED]

Tel No .....

Email .....

.....

441

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MR R. TARBOT

Address... 

Tel No .....

Email .....

.....

442

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

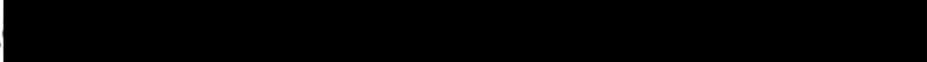
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

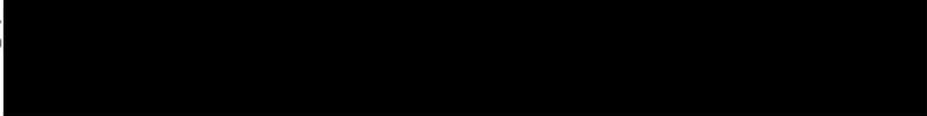
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name .. Paula Fiona Evans .....

Address ..  .....

Tel No. ..  .....

Email ..  .....

4613

SID 443

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... MARTORIE RHODES (MRS) .....

Address .....  .....

Tel No. ....  .....

Email .....

444

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MR D JOHNSON

Address 

Tel No ..

Email ..

??

445

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

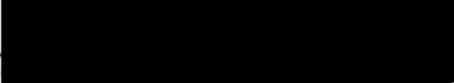
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MR S. PYSANCTON

Address 

Tel No 

Email .....

446

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

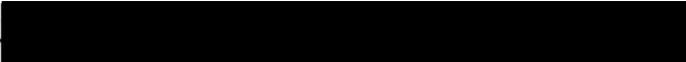
No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name JOHN RICHARDSON.....

Address .....

Tel No .....

Email .....

447

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

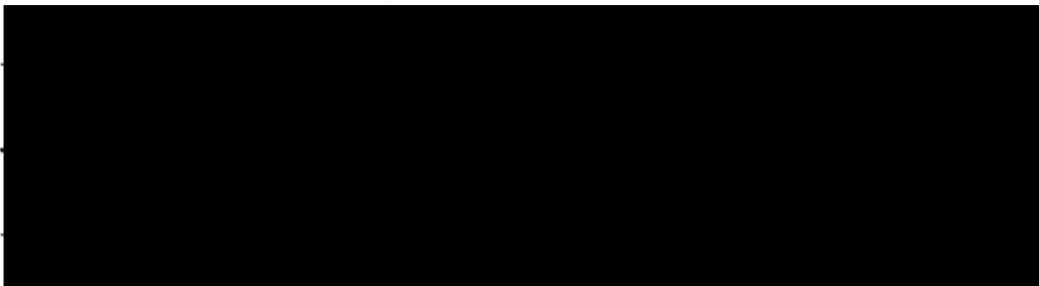
Yes I wish to appear at the examination

Name G. H. D. S. J.

Address.

Tel No ...

Email ....



44-8

SID 448

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... D. FOSTER .....

Address.  .....

Tel No ...  .....

Email .....



450

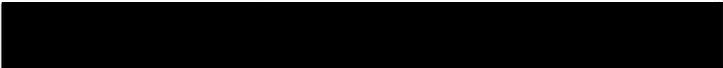
## Do you consider the City of York Draft Local Plan Publication SOUND

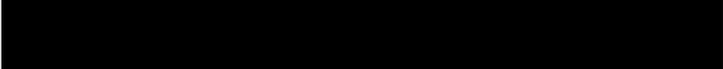
 Yes No

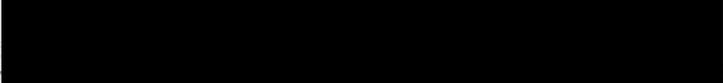
There will be a **Public Enquiry** about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

 No, I do not wish to participate at the hearing session at the examination Yes I wish to appear at the examination

Name ... MRS J. FELL .....

Address.  .....

Tel No.  .....

Email ....  .....

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

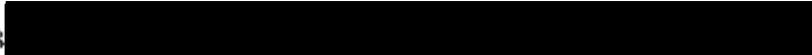
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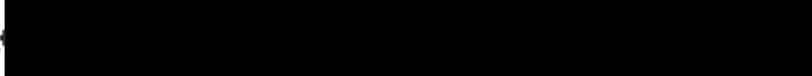
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name V. G. RIDSDALE

Address 

Tel No 

Email .....

452

## Do you consider the City of York Draft Local Plan Publication SOUND

 Yes No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... G. R. Healey .....

Address..

Tel No ....

Email .....

453

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name Away blinds

Address.  
Tel No ...  
Email ...

454

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

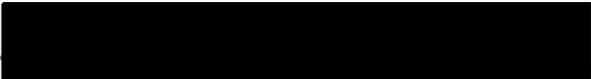
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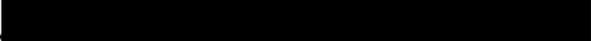
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

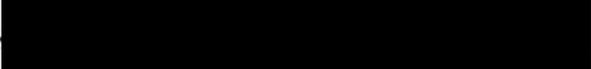
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... A R MUNDAY .....

Address.....  .....

Tel No .....  .....

Email .....  .....

455

SID 455

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

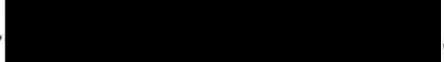
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name JACK SARELANT.....

Address...  .....

Tel No .....  .....

Email .....

456

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... MRS. D. S. BOWNE & MR. M. D. HUDSON

Address... [REDACTED]

Tel No .....

Email .....

.....

457

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... C.S. HALL .....

Address..... [REDACTED] .....

Tel No ..... Ex. Dir. ....

Email ..... \_\_\_\_\_ .....

458

SID 458

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ELIANE BATHMERE

Address. 

Tel No ..

Email ...

459

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

~~NO~~

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

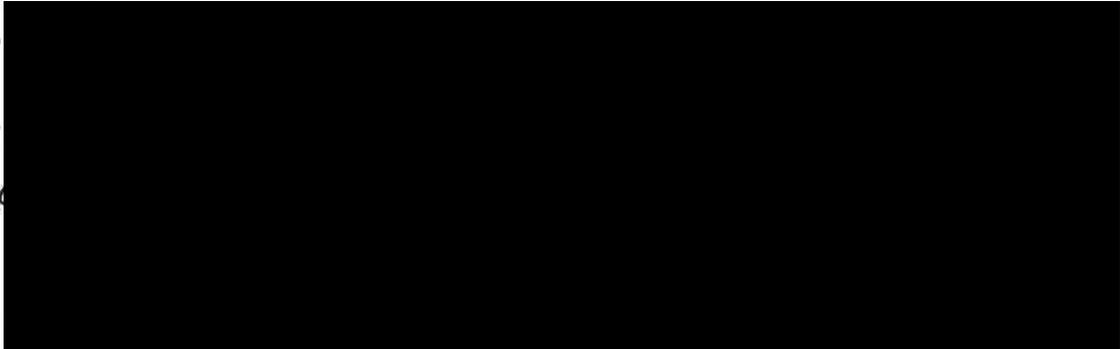
Yes I wish to appear at the examination

Name ..... ROBIN & CAROL BARRY .....

Address..

Tel No ...

Email .....



460

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

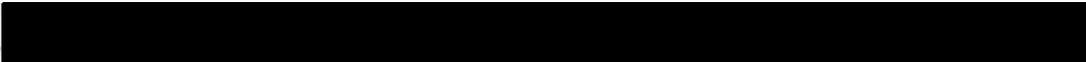
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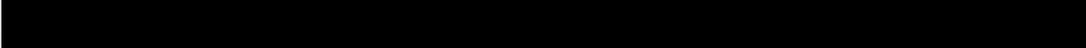
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

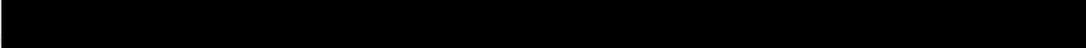
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name Mrs Sue Nutbrown

Address. 

Tel No .. 

Email .... 

461

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

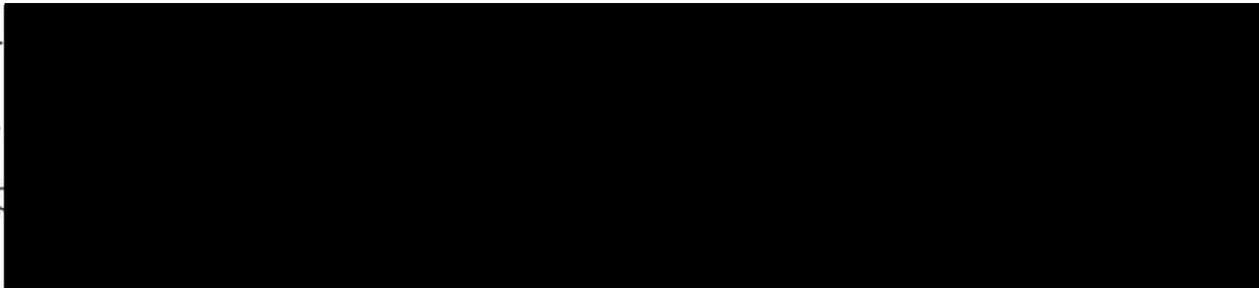
Yes I wish to appear at the examination

Name Jane Johnson

Address..

Tel No ...

Email ....



462

SID 462

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

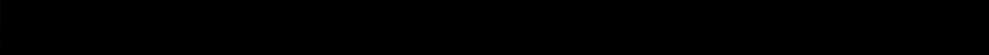
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

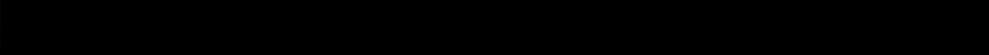
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... MR. NEVILLE WHITE .....

Address. 

Tel No ... 

Email .... 

.....



464

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

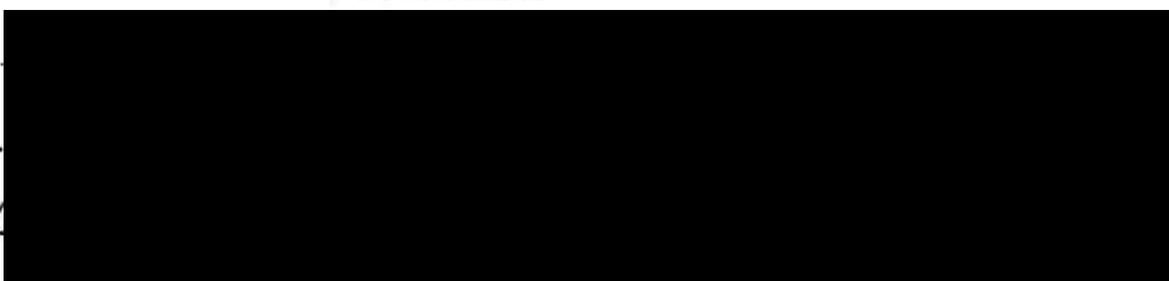
Yes I wish to appear at the examination

Name Thomas Anderson

Address

Tel No ...

Email ...



465

SID 465

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

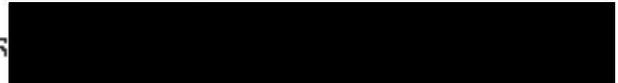
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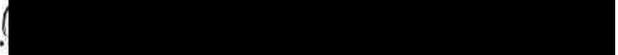
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

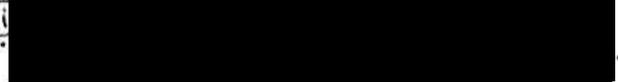
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name David Braithwaite.....

Address .....

Tel No. .....

Email .....

.....

466

## Do you consider the City of York Draft Local Plan Publication SOUND

 Yes No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MR B & Mrs J.R. SMITH

Address

Tel No.

Email ...

467

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

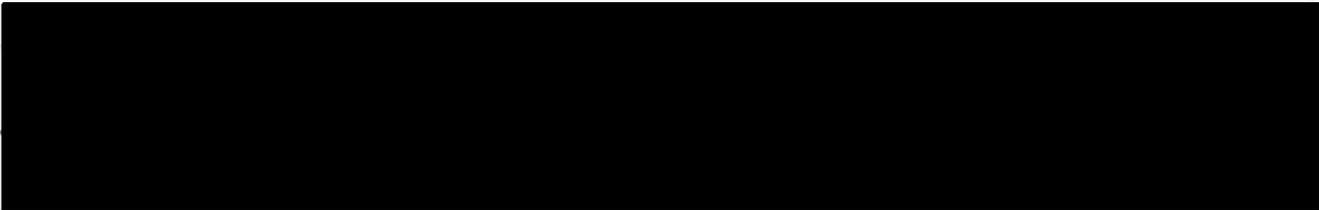
Yes I wish to appear at the examination

Name ..... MRS ANNE BRAITHWAITE

Address...

Tel No ....

Email .....



468

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

~~No~~

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name N & J CLARSON

Address 

Tel No 

Email .....

.....

469

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

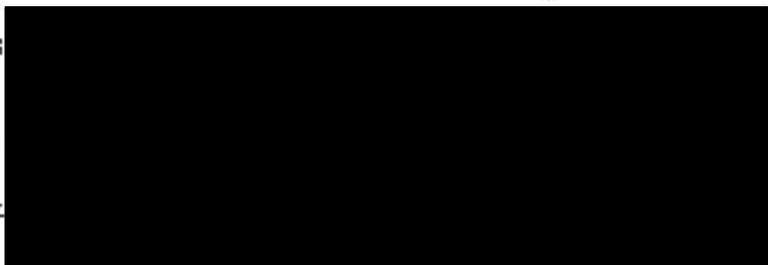
Yes I wish to appear at the examination

Name MR. K.A. IVESON

Address

Tel No.

Email



E

.....

470

SID 470

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name DAVID BLOCKLEY / EMMA WADDINGTON

Address.....

Tel No .....

Email .....



471

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

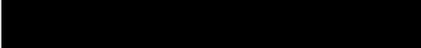
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

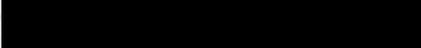
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name D. S. Holding.....

Address. .....

Tel No .. .....

Email .. .....

.....

472

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

~~Yes I wish to appear at the examination~~

Name ..... B. KALE .....

Address. 

Tel No ..

Email ....

.....

473

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

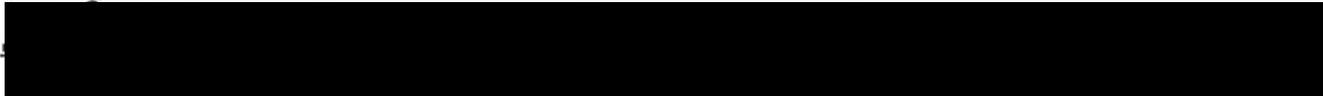
No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name S.M. + P.G. ASHTON.

Address 

Tel No .....

Email .....

.....

474

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

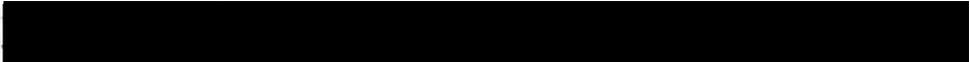
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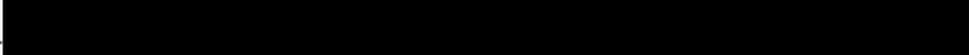
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name Ms & Mrs L STONIER

Address.... 

Tel No ..... 

Email .....

475

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MR. A. TAYLOR

Address

Tel No

Email



476

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

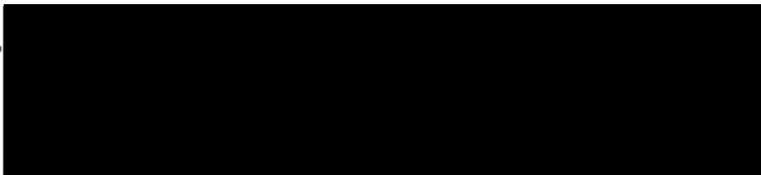
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name <sup>MR</sup> MOSSMAN & MRS N. GREEN

Address



Tel No

Email

.....

477

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ERIC ARMITAGE

Address.. 

Tel No ...

Email .....

.....

478

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

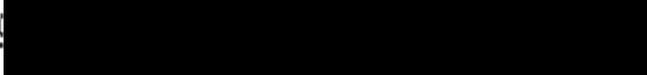
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name J. LIVINGSTONE

Address. 

Tel No... 

Email .....

.....

479

SID 479

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

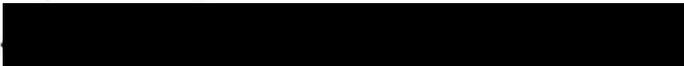
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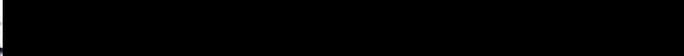
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

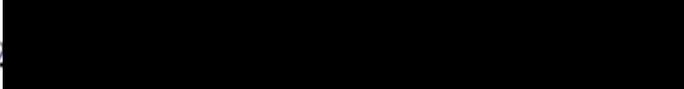
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name *Ms. T. Hurley* .....

Address  .....

Tel No  .....

Email *ta*  .....

480

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name Pauline INGRAM

Address 

Tel No. 

Email .....

481

SID 481

## Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

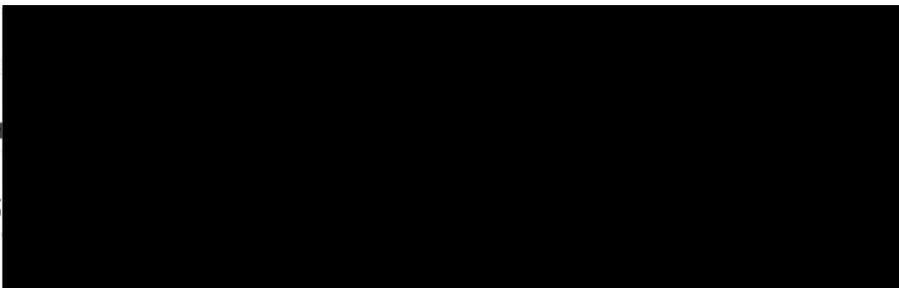
Yes I wish to appear at the examination

Name Emma Baines

Address..

Tel No ...

Email .....



482

## Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

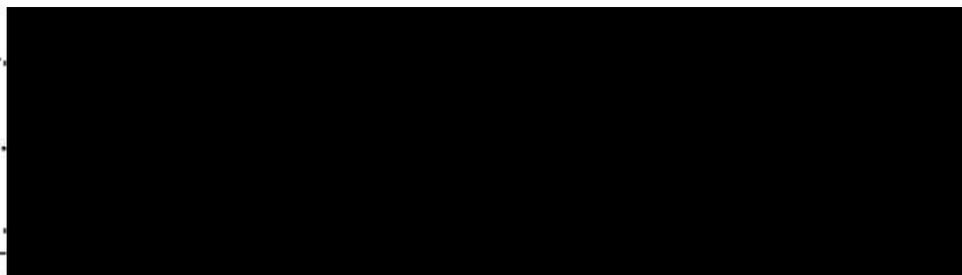
Yes I wish to appear at the examination

Name JESSICA NEWDICK

Address

Tel No

Email



483

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... MR. & MRS. D. TAYLOR

Address..

Tel No ...

Email .....



484

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MR K STONES

Address 

Tel No .....

Email .....

485

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

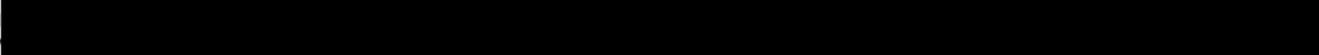
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MRS I DAVEY.

Address 

Tel No 

Email .....

486

SID 486

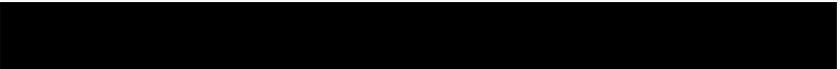
# Do you consider the City of York Draft Local Plan Publication SOUND

Yes  No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

- No, I do not wish to participate at the hearing session at the examination
- Yes I wish to appear at the examination

Name THOMAS BAINES

Address 

Tel No ..

Email ....

487

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... J. SAGGS .....

Address..... [REDACTED] .....

Tel No .....

Email .....

488

SID 488

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... ANGELA HENRY (MRS.) .....

Address..... 

Tel No .....

Email .....

489

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

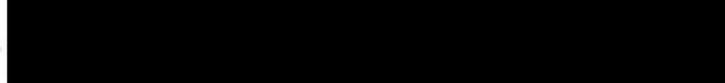
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name Mr. MICHAEL WOOD

Address 

Tel No 

Email .....

4-90

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

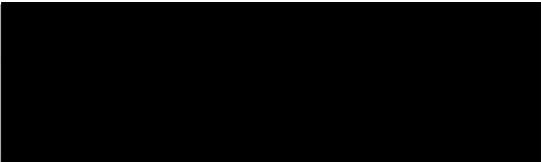
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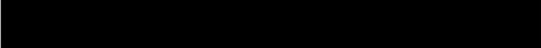
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name S. CHAPMAN

Address.....  .....

Tel No .....  .....

Email .....

491

SID 491

## Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name BULMER / HAWKINS

Address

Tel No

Email

492

## Do you consider the City of York Draft Local Plan Publication SOUND

 Yes No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

 No, I do not wish to participate at the hearing session at the examination Yes I wish to appear at the examination

Name JANE Hardcastle and David Lovell

Address..

Tel No ...

Email ...

493

SID 493

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

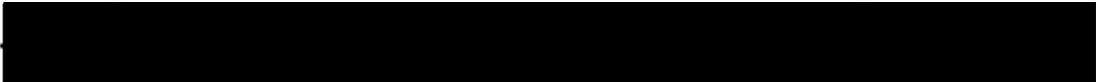
No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MRS B MOLLOY

Address... 

Tel No .....

Email .....

494

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name HELEN BARRETT

Address.  
Tel No..  
Email ....



495

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MR & MRS J. W. MCKENZIE

Address .....

Tel No .....

Email .....

496

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

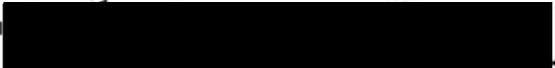
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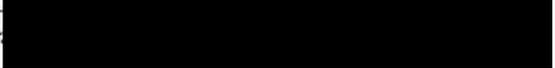
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name Mr. D. N. Croxall

Address 

Tel No 

Email .....

497

SID 497

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

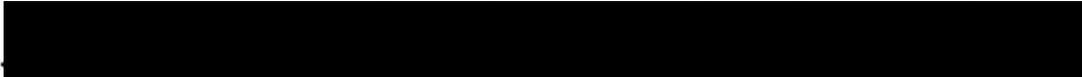
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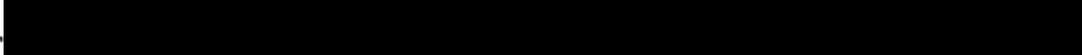
There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

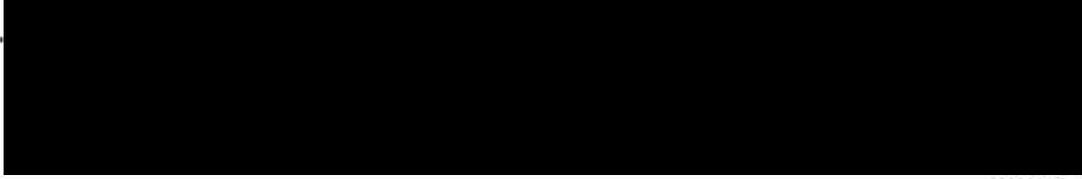
No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name ..... BRIAN HUTTON .....

Address, .....  .....

Tel No .....  .....

Email .....  .....

498

SID 498

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

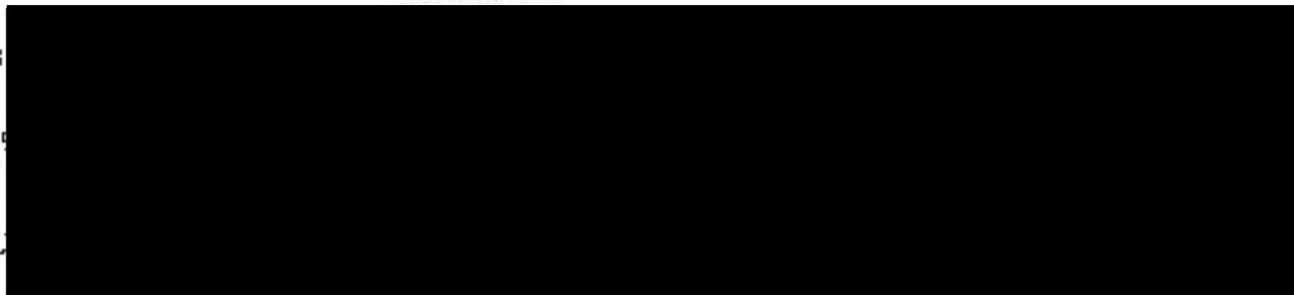
Yes I wish to appear at the examination

Name J.A. P.A. FOSTER

Address

Tel No.

Email



499

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name Alma's Rhodes

Address  
Tel No  
Email



500

# Do you consider the City of York Draft Local Plan Publication SOUND

Yes

No

There will be a Public Enquiry about the Local Plan. You are allowed to speak at the Enquiry. Please let us know if you wish to speak.

No, I do not wish to participate at the hearing session at the examination

Yes I wish to appear at the examination

Name MR R RYLOTT.....

Address

Tel No ..

Email .....