

SID Ref	Respondent
601	Claire Linley DPP Planning OBO PJ Procter Site 903 H34
602	Claire Linley DPP Planning OBO Strata Homes Ltd Site 187 ST30
603	Simon Grundy Carter Jonas OBO The Retreat Living Limited
604	Simon Grundy Carter Jonas OBO Gallagher Estates
605	Simon Grundy Carter Jonas OBO Mr D Lancaster & Oakwood Business Park
606	Adam Jackson Lichfields OBO KeyLand Developments Ltd
607	Adam Jackson Lichfields OBO Taylor Wimpey
608	Zoe Harrison Lister Haigh OBO Messrs N Blacker & Son
609	Dave Merrett OBO YTUC
610	Andrew McGuinness CPT UK OBO CPT UK OBO Bus & Coach Operators within CPT
611	Kathryn Jukes Directions Planning OBO Northminster Business Park
612	Kathryn Jukes Directions Planning OBO JRHT
613	Kathryn Jukes Directions Planning OBO Askham Bryan College
614	Kathryn Jukes Directions Planning OBO W Birch & Sons
615	Philip Holmes O'Neill Associates Heworth Green Gasworks Ltd H1
616	The Coal Authority
617	Johnathan Wharton
618	Julie Ainsworth
619	NDM
620	Eamonn Keogh O'Neill Associates OBO Galtres Village Development Company
621	Paul Butler OBO Barratt Homes & David Wilson Homes and TW Fields
622	Linda Beilby
623	Alison & John
624	D E Wetton
625	Roy Brown
626	Ian Richardson
627	Mike Sutton-Croft
628	Robert Fitzgerald
629	Mr & Mrs Ruder
630	R Maher
631	S R Blackburn
632	F Skilbeck
633	NDM
634	Victor Holt
635	Mr & Mrs M J Stannard
636	NDM
637	Particia & Mark Horner
638	R W Wood
639	M Chapman
640	M Evans
641	Donald Simpson
642	Katie & Matthew Driscoll
643	Mrs Smith
644	Margaret Dale
645	Chris Winterburn
646	Barry Metcalf
647	J Moon
648	P J Slater
649	Audrey Miller
650	E & DM Scarlett
651	David Carr
652	Stephen Hind
653	Oliver Hind
654	Michael Fedyszyn

655	Hilary Fedyszyn
656	Daniel Buckley
657	Timothy Duffy
658	Kristen Buckley
659	Emily McLaughlin
660	Paula McLaughlin
661	Christopher McLaughlin
662	Margaret Moxon
663	Moira Law
664	Robert Law
665	Brian Ferguson
666	David Hirst
667	Grace Hirst
668	Findlay Wallace
669	Joan Wallace
670	Tim Harrison
671	Phoebe Harrison
672	Bryony Harrison
673	James Ogram
674	Eric Wilson
675	Diane Brownlee
676	Irene Wilson
677	Lenore Janet Hill
678	Mark Grewer
679	Robert Brownlee
680	Linda Hill
681	Clare Frisby
682	Carol Ferguson
683	Heather Heeles
684	Ronald Hill
685	Colin Perrott
686	Ruth Perrott
687	Stephen Adams
688	Gillian Adams
689	Michael Buckley
690	Karen Buckley
691	Beverley Duffy
692	Mark Greenaway
693	Sally Greenaway
694	Abigail Sutton
695	William Marsh
696	Bernadette Sutton
697	Sue Glenn
698	Hazel Sedman
699	James Muldoon
700	Karen Kingston

From: Claire Linley [Claire.Linley@dppukltd.com]
Sent: 04 April 2018 15:23
To: localplan@york.gov.uk
Cc: Mark Lane; Sue Procter
Subject: York Local Plan Reps - Site 903 (formerly H34)
Attachments: H34 Forms.pdf; H34 Report and Appendices.pdf

Good afternoon,

Please find attached our representations on behalf of PJ Procter for and on behalf of the JA Procter 4th April 1997 discretionary settlement and the Procter Family in relation to the City of York Local Plan Publication Draft Regulation 19 Consultation. This submission relates to the site known as land north of Church Lane, Skelton, Site 903 (formerly H34).

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



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

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ID reference:

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Part A - Personal Details

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

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		PJ Procter for and on behalf of the JA Procter 4 th April 1997 Discretionary Settlement and the Procter Family
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

Guidance note

Where do I send my completed form?

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

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
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Part B - Your Representation

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



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

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

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

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

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.

H34

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

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

We consider that the deallocation of H34 is unjustified and the reasons given unsound. We consider that the Local Plan is unsound, in that the Local Plan does not provide sufficient housing land to meet the needs of the housing market area and those sites identified will not deliver the units identified and as such the plan is not justified and will not be effective and therefore does not deliver sustainable development in accordance with national policy.

See attached report for full comments.

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



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

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

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

To address the above H34, which is a sustainable site and its development will not result in any sufficient harm, should be reintroduced into the plan and reallocated for housing development.

See attached report for full comments.

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

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

Yes, I wish to appear at the examination

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

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To elaborate on our written representations.

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Part C - How we will use your Personal Information

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Signature

Date

04.04.18

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Yes

No

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No

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

See attached report for full comments.

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The Local Plan does not provide a robust range and choice of housing land to meet the housing requirement and to diversify the house building sector and encourage more competition. On the basis of the above we consider that Policy H1 of the Local Plan is unsound and will not be effective and therefore not deliver sustainable development in accordance with national policy.

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To address the above H34 should be reintroduced into the plan and reallocated for housing development under Policy H1.

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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

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

What makes a Local Plan "sound"?

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

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

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

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

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

Yes No

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

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

Positively prepared Justified
Effective Consistent with national policy

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

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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

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

We consider that Policy H2 and the associated assumed yields applied to various allocations are unsound and not justified and will not ensure effective delivery of the housing requirement and is therefore inconsistent with national policy.

See attached report for full comments.

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



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

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

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

We suggest that that net development density is reduced and that greater flexibility is included in the policy to allow for balanced developments to be created.

See attached report for full comments.

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

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

Yes, I wish to appear at the examination

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

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

To elaborate on our written representations.

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Part C - How we will use your Personal Information

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Signature



Date

04.04.18

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

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

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

Part A - Personal Details

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

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		PJ Procter for and on behalf of the JA Procter 4 th April 1997 Discretionary Settlement and the Procter Family
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

Guidance note

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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?

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

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Yes No

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

Positively prepared Justified
Effective Consistent with national policy

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

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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

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

We consider that Policy H3 is unsound as it will not be effective, it is not justified, and is not consistent with national policy.

See attached report for full comments.

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We suggest the policy should be modified to provide greater flexibility to allow for balanced developments to be created. In this regard we would suggest amending the policy to read "Proposals for residential development should assist in balancing the housing market, unless material considerations indicate otherwise, by including a mix of types of housing that respond to and reflects the diverse mix of need across the city and the character of the locality."

See attached report for full comments.

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

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First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		PJ Procter for and on behalf of the JA Procter 4 th April 1997 Discretionary Settlement and the Procter Family
Address – line 1		Second Floor
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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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What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

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

Yes No

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Positively prepared Justified
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(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

Lack of Safeguarded Land Allocation

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

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

We consider that the lack of a safeguarded land policy and the lack of identified safeguarded land sites to be unsound and unjustified and as such the Local Plan will not be effective. We consider that the lack of a safeguarded land policy and safeguarded sites is contrary to national policy.

See attached report for full comments.

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



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The inclusion of H34 as a safeguarded land site as an alternative to a housing allocation.

See attached report for full comments.

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Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		PJ Procter for and on behalf of the JA Procter 4 th April 1997 Discretionary Settlement and the Procter Family
Address – line 1		Second Floor
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Part B - Your Representation

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



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

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Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

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

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

Yes No

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

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

Positively prepared Justified
 Effective Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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

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

We consider that the lack of a safeguarded land policy and the lack of identified safeguarded land sites to be unsound and unjustified and as such the Local Plan will not be effective. We consider that the lack of a safeguarded land policy and safeguarded site to contrary to national policy.

See attached report for full comments.

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



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

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

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The inclusion of a safeguarded land policy and an appropriate quantum of safeguarded land sites.

See attached report for full comments.

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

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

Yes, I wish to appear at the examination

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Signature



Date

04.04.18

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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		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		PJ Procter for and on behalf of the JA Procter 4 th April 1997 Discretionary Settlement and the Procter Family
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

Guidance note

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

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
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3. To which document does your response relate? (Please tick one)

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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Paragraph no.

Policy Ref.

Site Ref.

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In these circumstances, the Local Plan is not 'sound' as required by the Framework, as the Council have not properly assessed the OAHN or set out a justified and effective housing requirement nor have the Council demonstrated an adequate supply of land as required by national guidance.

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The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a 'sound' plan and enable the much-needed investment in new housing to meet the community's needs.

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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		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		PJ Procter for and on behalf of the JA Procter 4 th April 1997 Discretionary Settlement and the Procter Family
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

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The Local Plan does not provide sufficient housing land to meet needs of the housing market area and those sites allocated will not deliver the units identified and as the Site does not perform a Green Belt purpose it should not be included in the Green Belt. On the basis of the above we consider that the Local Plan is unsound, it is not justified and will not be effective and therefore does not deliver sustainable development in accordance with national policy.

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Site H34 should be removed from the Green Belt and either allocated for housing development or as safeguarded land.

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

Part A - Personal Details

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

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		PJ Procter for and on behalf of the JA Procter 4 th April 1997 Discretionary Settlement and the Procter Family
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

Guidance note

Where do I send my completed form?

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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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Part B - Your Representation

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



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

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

What makes a Local Plan "sound"?

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

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

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

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

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

Yes

No

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

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

Positively prepared

Justified

Effective

Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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.

We consider the allocation of ST5 to be unsound in that ST5 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

See attached report for full comments.

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



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

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

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

We do not suggest that allocation known as ST5 should be deleted but rather that an aspirational but achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST5 should be 410 units as set out in the Publication Draft (2014). This level of development is more realistic and achievable.

See attached report for full comments.

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

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

Yes, I wish to appear at the examination

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

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To elaborate on our written representations.

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

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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.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

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 or on [01904 554145](tel:01904554145)

Signature 

Date **04.04.18**

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

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Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		PJ Procter for and on behalf of the JA Procter 4 th April 1997 Discretionary Settlement and the Procter Family
Address – line 1		Second Floor
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Part B - Your Representation

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



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

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

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Positively prepared

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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.

ST14

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

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

We do not object to the principle of the allocation but we do consider the estimated yield from ST14 to be overly ambitious so as to call into question the ability of the Local Plan to deliver houses to meet the housing requirement. As such we consider the yield assumed for ST14 to be unsound in that ST14 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

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We do not suggest that allocation known as ST14 should be deleted but rather that an achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST14 should be reduced to 900 units. We consider that this number of units is more realistic and achievable.

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

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Yes

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

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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.

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.

We do not object to the principle of the allocation but we do consider the estimated yield from ST15 to be unrealistic and to call into question the ability of the Local Plan to deliver houses to meet the housing requirement. As such we consider that the yield assumed for ST15 to be unsound in that ST15 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

See attached report for full comments.

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



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

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We do not suggest that allocation known as ST15 should be deleted but rather that an achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST15 should be reduced to 900 units. We consider that this number of units is more realistic and achievable.

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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.

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.¹

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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.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

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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.³

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 or on [01904 554145](tel:01904554145)

Signature

Date

04.04.18

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012



RESPONSE TO YORK LOCAL PLAN PUBLICATION DRAFT

**PJ PROCTER FOR AND ON BEHALF
OF THE JA PROCTER 4TH APRIL 1997
DISCRETIONARY SETTLEMENT AND
THE PROCTER FAMILY**

**SITE 903 (FORMERLY H34) - LAND
NORTH OF CHURCH LANE, SKELTON**

RESPONSE TO YORK LOCAL PLAN PUBLICATION DRAFT

On behalf of: PJ Procter for and on behalf of the JA Procter 4th April
1997 discretionary settlement and the Procter Family

In respect of: Site 903 (formerly H34) - Land north of Church Lane,
Skelton

Date: April 2018

Reference: CL/ML/2420le/R003cl

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Executive Summary

The Landowner **objects** to the proposed deletion of the site known as Site 903 (formerly H34). The Landowner also **objects** to the suggested housing requirement and to the lack of a safeguarded land policy and allocations. The Landowner also **objects** to the density assumptions applied to allocated sites and the assumed delivery from ST14, ST15 and ST5.

The Council's position is clear, due to revisions to the evidence base, certain previously proposed allocations have been modified or deleted. This does not mean that these sites or parts of them are unsuitable or inappropriate for development. Rather it simply means that the Council now consider these sites or parts of them are less preferable than those allocated in the current version of the Local Plan. The sites or parts of sites therefore should remain acceptable in principle.

The Site was assessed as part of the Council's rigorous site selection methodology and as a result of passing this site selection process the Site was proposed as a housing allocation in the Preferred Options draft and the Publication Draft versions of the local plan. In this regard the Council must have satisfied themselves that the Site is available, that the Site is suitable for development and the development is achievable at the point in time when the Site is intended to deliver development.

The Council must also accept that as the Site is a proposed housing allocation in the Preferred Options draft and the Publication Draft versions it serves no or a limited Green Belt purpose and does not need to be kept permanently open.

On the basis of the Council's revised evidence base, primarily the alleged lower OAHN, the Council have sought to reduce the number of housing allocations and one of those sites that the Council are proposing to be removed is Site 903 (formerly H34). However, having found that the Site serves no or a limited Green Belt purpose the conclusion that should have been reached is that the Site did not need to be kept permanently open and should have been allocated as safeguarded land. However as this policy is also proposed to be deleted that was not an option open to the Council.

Rather than simply saying the Council are proposing to remove H34 because of the alleged reduction in the need for housing land the Local Plan also gives a technical or planning reason or reasons. In the case of Site H34 the reason given in the Local Plan consultation documentation for the proposed removal of the housing allocation, relates primarily to access concerns and alleged knock on implication to heritage issues.

We disagree with this reasoning and we have shown that the reasoning is flawed.

In relation to the Council's primary concern we have shown that the Site can be accessed. It has been shown that all of the land needed to obtain a satisfactory access either lies within the highway or is in the control of the Landowner. Indeed we have shown that the proposed development of the Site could result in wider public benefits to the community. The development of the Site for residential purposes is acceptable from a transport perspective and, as a result, there is no reason in terms of transport and access terms, why the Site should not be allocated for residential development. Whilst secondary we have also demonstrated that the widening of Church Lane has

been kept to a minimum and would only affect the section of Church Lane which runs the width of the Site and away from Skelton Conservation Area and St. Giles Church. These minimal alterations to Church Lane will mean that essentially the appearance of Church Lane will remain the same i.e. one of grass verges, hedges and trees. The minor works to widen Church Lane would therefore not have an adverse impact on the setting of Skelton Conservation Area and St. Giles Church. Consequently there is no harm caused to the significance of these designated heritage assets through setting.

Notwithstanding the above we have shown that the Council's objective assessment of housing need ('OAHN') is deficient and underestimates the level of need. This is exacerbated by the Council assessment of housing supply, notably their over estimation of the delivery from certain sites, particularly ST5, ST14 and ST15. Consequently we have shown that there is a need to allocate additional land for housing development.

Given all of the above and in order to produce a sound plan, we recommend the following amendments and modifications are made to the Local Plan.

- There are a number of significant deficiencies in the City of York SHMA and Addendum which means that the 867 dwellings per annum OAHN figure currently being pursued by the Council is not soundly based. We suggest that the OAHN should be 1150 dwellings per annum.
- The Council needs to provide a justified trajectory of the proposed housing sites and it needs to reassess the assumed delivery from certain sites particularly ST5, ST14 and ST15;
- A wider range and choice of sites need to be allocated for residential development;
- Safeguarded land policy and allocations should be incorporated within the Local Plan. Allocations should be chosen from the safeguarded sites identified within the previous iterations of the Local Plan or from sites which had been allocated for housing in the previous iterations of the Local Plan but which are allegedly no longer required within the due to the purported decrease in the housing requirements within the District;
- Appropriate development densities should be assumed and justified particularly from village and rural sites; and
- The Council should reinstate the proposed housing allocation known as Site 903 (formerly H34) or as an alternative allocate the site as safeguarded land under a new safeguarded land policy.

1.0 Introduction

- 1.1 We are submitting this representation on behalf of PJ Procter for and on behalf of the JA Procter 4th April 1997 discretionary settlement and the Procter Family (“the Landowners”), in respect of various issues contained in the City of York Local Plan Publication Draft Regulation 19 Consultation (“the Local Plan”) and in particular their interests in relation to land north of Church Lane, Skelton Site 903 (formerly H34) (“the Site”)
- 1.2 The Site in the control of the Landowner is shown on the plan attached at **Appendix 1**. The Landowner is in detailed discussions with a major house builder.
- 1.3 City of York Council (“the Council”) published the Local Plan for public consultation in February 2018 together with its associated evidence base. The Local Plan proposes to delete the allocation known as Site 903 (formerly H34). The Developer **objects** to the proposed deletion of Site 903 (formerly H34). We request that the site is allocated for housing or is allocated as a safeguarded land as an alternative to a housing allocation.
- 1.4 On behalf of the Landowner we have now had the opportunity to read the document and its associated evidence base and we have made a number of comments. For the remainder of the report the Site will be referred to as H34.

2.0 The Test of Soundness

2.1 Paragraph 182 of the NPPF indicates that a Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “**sound**” namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

3.0 The Site

- 3.1 The settlement of Skelton is located approximately 5.5km to the north west of the city centre of York. Skelton is located on the eastern side of the A19.
- 3.2 The Site comprises of a total area of approximately 1.74 hectares of land and is located to the north of Church Lane and immediately to the east of the A19.
- 3.3 The Site is a single enclosure. Part of the western boundary of the Site consists of a belt of mature trees, beyond is a wide grass verge and then the A19. The northern boundary is also formed by a belt of mature trees, beyond which is open farmland. The eastern boundary of the northern part of the Site is formed by a mature hedgerow and farm track, beyond which is a paddock. By contrast, the eastern boundary of the southern part of the Site is formed by a hedgerow beyond which there are several modern residential properties. The southern boundary of the Site adjoins the western end of Church Lane with the remaining frontage of this section of the road being already occupied by three modern houses each with perimeter hedges cut through by individual driveways leading across the verge and on to the carriageway via wide access splays. Opposite, the entire southern side of Church Lane is bounded by modern residential properties whilst behind them is the modern estate style development of The Meadows which itself gains access off St Giles Road.

4.0 Suitability of the Site

- 4.1 The Site has previously been promoted by DPP at previous stages of the plan process. Through promoting the Site it has previously been shown that the Site is available and suitable for residential development and that development can be achieved.
- 4.2 The Site was assessed as part of the Council's rigorous site selection methodology and as a result of passing this site selection process the H34 was proposed as a housing allocation in the Preferred Options (June 2013) and the Publication Draft (September 2014) versions of the local plan.
- 4.3 In this regard the Council must have satisfied themselves that H34 was available, that the Site is suitable for development and the development is achievable at the point in time when the Site is intended to deliver development.
- 4.4 The suitability and appropriateness of the H34 for housing development until recently has not been questioned.

Soundness

- 4.5 H34 was previously considered to be a location suitable and appropriate for housing development and that the development of the land would not harm any important planning consideration. We consider that the deallocation of H34 is unjustified. On the basis of the above we consider that the Local Plan is unsound and will not be effective and therefore not deliver sustainable development in accordance with national policy.

Modification

- 4.6 To address the above H34 should be reintroduced into the plan and reallocated for housing development.

5.0 Objection to the Deletion of H34

Preferred Options (June 2013)

- 5.1 The Council consulted on the Preferred Options draft and its supporting evidence base in summer 2013. The Preferred Options draft set out the spatial strategy for the City which included identifying land for housing and employment growth. The Site was a housing allocation within the Preferred Options draft.
- 5.2 Within this document the Site is identified by the Council as a housing allocation known as H34. The Site is shown as being 1.74 ha in size and having a Council estimated capacity of 42 dwellings. The Preferred Options draft indicates that the Site is available for development in the short to medium term (1-10 years). The proposed allocation is shown below.



Further Sites Consultation (June 2014)

- 5.3 Following consultation on the Preferred Options draft the Council held a Further Sites Consultation (June 2014). This contained the results of the testing of the suggested modifications and new sites received as part of the previous Preferred Options draft consultation against the Council's rigorous site selection methodology.
- 5.4 The Preferred Options draft and Further Sites Consultation helped to develop and fine tune portfolio of sites to meet the identified housing and employment needs of the City for the Publication Draft version of the plan.

Publication Draft (September 2014)

- 5.5 The Publication Draft version of the plan was taken to a Local Plan Working Group on the Monday 22nd September which was followed by a Cabinet meeting on Thursday 25th September and the Publication Draft was presented to Scrutiny Panel on Wednesday 8th October 2014. At all of the above stages the Publication Draft was approved by members of the Council. However, following a Full Council meeting on 9th October progress on this plan was halted.
- 5.6 At the time that work on the Publication Draft plan was halted the Council had reaffirmed the allocation of the Site for housing. In the Publication Draft the Site has the same area of 1.74ha, however, the Council's estimated capacity had increased to 49 dwellings. The Publication Draft plan brought forward the phasing of the Site to the short term (1-5 years).
- 5.7 The proposed allocation contained within the Publication Draft version of the plan is shown below.



The Preferred Sites Consultation (July 2016)

- 5.8 Since 2014, the Council has been updating its evidence base in line with the agreed motion. This has included taking further papers to Members of the Local Plan Working Group in September 2015 in relation to the overall housing and employment requirements for York.
- 5.9 York then released a Preferred Sites Consultation in July 2016 and supporting evidence as approved by the Executive Members. This was consulted on between 18th July and 12th September 2016.
- 5.10 On the basis of the Council's revised evidence base, primarily the alleged lower objectively assessed housing need ("OAHN"), the Council sought to reduce the number of housing allocations and one of those sites that the Council proposed to be removed was H34.

5.11 Within the Preferred Sites Consultation, the Council proposed to delete the Site as a housing allocation. DPP on behalf of the Landowners made comment on this document in general and objected to the reasons given by the Council for the suggested deletion of the allocation known as H34.

5.12 Rather than simply saying the Council are proposing to remove H34 because of the alleged reduction in the need for housing land, the Preferred Sites Consultation gave a technical or planning reason or reasons. In the case of H34 the reason given in the Preferred Sites Consultation for the proposed removal of the housing allocation was as follows:-

'The site has been removed following further technical officer consideration primarily due to site access concerns. There are access constraints via Church Lane which is narrow and would require widening. It is considered that this would have an adverse impact on Skelton Conservation area in relation to the setting of the church.'

5.13 The only concern regarding the allocation of the Site known as H34 therefore relates to technical access matters in respect of the widening of Church Lane and the alleged associated heritage impact.

5.14 DPP submitted representations to the Preferred Sites Consultation in September 2016 on behalf of the Landowner to demonstrate that access could be achieved with minimal widening to Church Lane and that the comments made in the Preferred Sites Consultation documentation in relation to heritage matters were unfounded.

Pre-Publication Draft Regulation 18 Consultation (September 2017)

5.15 The LPA then published the Pre-Publication Draft of the local plan along with its evidence base. Within the evidence base is the 'Preferred Sites Consultation Statement' which summarises the consultation responses received in relation to the Preferred Sites Consultation. Within the SHLAA which is also included within the evidence base these consultation responses have been added to the comments of the Technical Officer Workshop and a full assessment of each site has been provided.

5.16 A response was submitted in October 2017 on behalf of the Landowners in response to the Pre-Publication Consultation which reviewed this assessment and provided further comment to demonstrate why the H34 allocation should not be deleted. The report put forward the case for the reinstatement of the housing allocation known as H34. These comments are reiterated below.

5.17 The feedback from Officers stated that:

"The submitted documents have been reviewed and it is noted that while the access could technically be widened sufficiently, if this were to include much needed footways and provide pedestrian access to the bus stops on the A19 this would still result in the loss of grass verges at an important entry point to the village and would significantly change the nature of the area in this location. It is considered that suitable access to the site could not be designed without adversely

impacting on the character of this narrow lane which forms part of the Skelton conservation area and the wider setting for St Giles Church.”

5.18 The Council cited two technical reasons for the deletion of H34 the first being access concerns and these related to Church Lane being narrow and would require widening. This was identified as the primary consideration. The secondary consideration was considered to be adverse impact that the highway works would have on Skelton Conservation area in relation to the setting of the Church. Taking each matter in turn: -

Access considerations

5.19 A Transport and Access Appraisal produced by Fore Consulting and was submitted by DPP at the Preferred Site Consultation stage of the plan. This Appraisal is resubmitted with this representation and is attached at **Appendix 2**. This Appraisal demonstrated that H34 was deliverable from a transport and access perspective and gave the following key reasons: -

- With a potential development of up to 42 residential dwellings, H34 can be safely served by a single point of vehicular access from Church Lane.
- An access can be provided which accords with the necessary design standards, and options exist to further improve the local road network through modest local widening on Church Lane and footway provision along the A19. The scale of the improvements would not change the character of the road.
- The H34 is located within a reasonable walking distance of existing bus stops, providing public transport links to a range of local and regional facilities.
- It is considered that the impact of the low numbers of additional development traffic can be adequately accommodated on the existing road network and would have no adverse impact on the safe and free flow of traffic.
- The proposals accord with both national and local transport policy. In particular, residents of the proposed development would be able to access local facilities, utilise existing bus services and any additional vehicular traffic would not have a detrimental impact on the adjacent road network.

5.20 The Fore Consulting Appraisal concluded that the land use proposals are acceptable and can be delivered from a transport perspective and, as a result, there is no reason in terms of transport and access why H34 should not continue to be promoted for residential use. Access and highway issues are therefore not a constraint to the development of the Site.

5.21 This report was assessed by the Local Plan Working Group and officers concluded that access could technically be achieved. The Local Plan Working Group report is attached at **Appendix 3**.

5.22 Consequently, the **primary** reason for the proposed deletion of the H34 housing allocation has been dealt with. Access into the Site can be safely achieved.

Adverse impact on Skelton Conservation area in relation to the setting of the church

5.23 The Council considers, as a **secondary** issue, the adverse impact of the highway works on Skelton Conservation Area and the setting of the Church.

5.24 The Council consider that the works would result in: -

- *the loss of grass verges at an important entry point to the village and would significantly change the nature of the area in this location*
- *adversely impacting on the character of this narrow lane which forms part of the Skelton conservation area and the wider setting for St Giles Church.”.*

5.25 It is accepted that Church Lane would require widening but the works are relatively minor in nature and along a relatively short length of road and all of the highway works can be implemented within the extent of the adopted highway and/or land under the control of the Landowners.

5.26 The heritage response from Aecom which was submitted with the last round of representations and is included again at **Appendix 4** shows that neither H34 nor the section of the road affected by the proposed works are within Skelton Conservation Area. The statement by the Council is plainly incorrect. Indeed, the report notes that highway works are located some 80 to 100m away from the edge of the Skelton Conservation Area. See below.



5.27 The highways works are even further away from St Giles Church, approximately 210m, and on either side of Church Lane, where the highway woks are proposed, there is mature hedging and

trees. There is no inter-visibility between St Giles Church and the highway works. Therefore, the highway works will not impact on the listed St Giles Church or its setting.

- 5.28 The heritage response indicated that the widening of Church Lane has been kept to a minimum and would only affect the section of Church Lane which runs along the width of the Site. These minimal alterations to Church Lane will mean that essentially the appearance of Church Lane will remain the same i.e. one of grass verges, hedges and trees. This will mean that the setting of Skelton Conservation Area and St Giles Church does not change.
- 5.29 The Aecom report concludes that the highway works will not harm the setting of Skelton Conservation Area or St. Giles Church. Consequently, there is no harm caused to the significance of these designated heritage assets through setting.
- 5.30 It is clear that the impact of the highway works on setting of Skelton Conservation Area or St. Giles Church are a secondary point and are certainly not a show stopper.

Publication Draft Regulation 19 Consultation (February 2018)

- 5.31 The Publication Draft of the Local Plan continues to show Site H34 within the Green Belt and not to be allocated for housing development.

Conclusion

- 5.32 The Site was identified by the Council as a proposed housing allocation in the Preferred Options (June 2013) and the Publication Draft (September 2014) versions of the local plan. The Council have previously considered that H34 was available, that the Site was suitable for housing development and that residential development was achievable. It is plainly accepted by the Council. The Council also plain accept that the Site does not perform a Green Belt purpose.
- 5.33 We have shown that the Council's primary concern regarding the allocation of the Site relates to the highway works and that this issue has now been satisfied.
- 5.34 We have shown that secondary issue is the alleged impact that the highway works will have on the Conservation Area and the listed St Giles Church. In this regard, we have shown that the highway works are extremely limited in extent, some distance away from the Conservation Area and even further away from the listed Church. We have shown that that the proposed highway works will not affect the character or appearance of the Conservation Area or the listed Church or its setting.
- 5.35 We have demonstrated that the concerns relied upon by the Council for the deletion of H34 are without foundation. We have shown that the issues raised by the Council are unjustified.
- 5.36 Given all of the above we request that this most sustainable of Sites be reintroduced into the plan and allocated for housing development.

Soundness

- 5.37 We consider that the deallocation of H34 is unjustified and the reasons given unsound. We consider that the Local Plan is unsound, in that the Local Plan does not provide sufficient housing land to meet the needs of the housing market area and those sites identified will not deliver the units identified and as such the plan is not justified and will not be effective and therefore does not deliver sustainable development in accordance with national policy.

Modification

- 5.38 To address the above H34, which is a sustainable site and its development will not result in any sufficient harm, should be reintroduced into the plan and reallocated for housing development.

6.0 Objection to Policy SS1

The City of York Strategic Housing Market Assessment

6.1 The Framework sets out that local planning authorities should use their evidence base to ensure that they meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework. To provide an objective assessment of housing need (“OAHN”) the Council commissioned GL Hearn to produce the following reports and updates: -

- The City of York Strategic Housing Market Assessment (June 2016) (“SHMA”)
- The Strategic Housing Market Assessment Addendum (June 2016) (“the Addendum”); and
- The Strategic Housing Market Assessment Update (September 2017) (“the Update”)

Background

6.2 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to prepare the SHMA. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27th June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.

6.3 On the 25th May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.

6.4 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by the Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation relating to OAN. The GL Hearn SHMA Update (September 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783dpa (in the 2016 SHMA) to 867dpa. In their Update, GL Hearn then applied a 10% uplift to the 867dpa starting point to account for market signals and affordable housing need and identifies a resultant housing need of 953dpa. However, a cover sheet to GL Hearn’s Update, entitled *‘Introduction and Context to objective Assessment of Housing Need’* was inserted at the front of this document by the Council. This states that 867dpa is the relevant

baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953dpa figure on the basis that GL Hearn's conclusions stating:

"...Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations."

6.5 As a result of this approach, the Publication Draft now states in Policy SS1: Delivering Sustainable Growth for York, the intention to:

"Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38."

6.6 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is *"an objectively assessed housing need"*

6.7 The Council therefore commissioned GL Hearn, an expert in the field, to produce a Strategic Housing Market Assessment in order to provide an OAHN and having done so the Council elected to ignore the findings of the Strategic Housing Market Assessment considering it to speculative and arbitrary. The Council provided no evidence as to substantiate its claim that the Strategic Housing Market Assessment was speculative and arbitrary. The decision to ignore the advice of the Council's independent experts is flawed and unsound.

6.8 We will go onto explain why the Council decision to ignore the advice of the Council's independent experts is flawed and unsound.

Housing Requirement

6.9 There are a number of deficiencies with the Council's Calculation of the housing requirement which are as follows:

- The Council's approach to identifying an assessed need of 867 dpa in the introductory section of the SHMA Assessment Update is a 'policy-on' intervention by the Council which should not be applied to the OAHN.
- There are a number of significant deficiencies in the SHMA Assessment Update which means that the 953 dpa OAHN figure identified in the Assessment Update is not soundly based. In particular:
 - GL Hearn clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. However, this demographic-led figure of 871 dpa has not appear to have been carried forward by GL Hearn in calculating the resultant housing need.
 - The Assessment Update fails to distinguish between the affordable housing needs of the City of York and the supply increase needed to address to help address demand.

- The Assessment Update fails to address the market signals
- 6.10 The scale of objectively assessed need is a judgement and there are different scenarios and outcomes which provide alternative levels of housing growth for the City of York. These are as follows:
- 6.11 **Demographic Baseline:** The demographic starting point should be 871dpa.
- 6.12 **Market Signals Adjustment:** GL Hearn’s uplift is 10%. However, it is considered that a greater **uplift of 20%** would be more appropriate in this instance. When applied to the **871dpa** demographic starting point, this would indicate a need for **1,045dpa**.
- 6.13 **Affordable housing need**, when considered as a proportion of market housing delivery, implies higher levels of need over and above the 1,045dpa set out above. Given the significant affordable housing need identified in City of York it is considered that a **further 10% uplift** would be appropriate in this instance and should be applied to the OAHN, resulting in a final figure of **1,150 dpa**.

Housing Land Supply

- 6.14 In terms of Housing Land Supply the following concerns are raised; -
- Lead in times;
 - Delivery rates;
 - Density assumptions;
 - The components of supply;
 - ST14 and ST15; and
 - Windfall.
- 6.15 Some of the assumptions in relation to the components of supply conclude in the Council’s Evidence Base Documents in terms of the proposed delivery rates on sites are unfounded and unrealistic.
- 6.16 The assessment of the balance between the housing requirement and supply demonstrates that there is a significant shortfall.

Soundness

- 6.17 In these circumstances, the Local Plan is not ‘sound’ as required by the Framework, as the Council have not properly assessed the OAHN or set out a justified and effective housing requirement nor have the Council demonstrated an adequate supply of land as required by national guidance.

Modification

- 6.18 The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a 'sound' plan and enable the much-needed investment in new housing to meet the community's needs.

7.0 Objection to Policy SS2 - Green Belt Designation

7.1 Policy SS2: The Role of York's Green Belt states:

"The primary purpose of the Green Belt is to safeguard the setting and the special character of York and delivering the Local Plan Spatial Strategy. New building in the Green Belt is inappropriate unless it is for one of the exceptions set out in policy GB1.

The general extent of the Green Belt is shown on the Key Diagram. Detailed boundaries shown on the proposals map follow readily recognisable physical features that are likely to endure such as streams, hedgerows and highways.

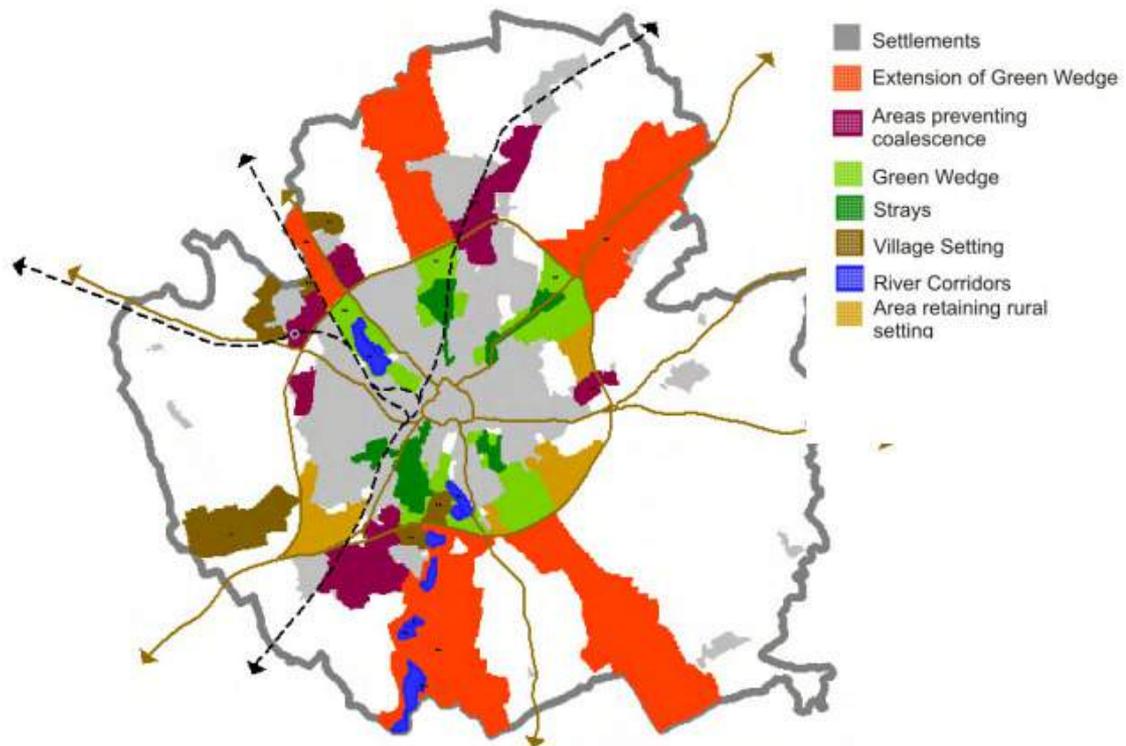
To ensure that there is a degree of permanence beyond the plan period sufficient land is allocated for development to meet the needs identified in the plan and for a further minimum period of five years to 2038."

7.2 Within the current version of the Local Plan Site H34 is shown to lie within the Green Belt.

7.3 Paragraph 80 of the NPPF states that the 5 purposes of including land within the Green Belt are as follows:

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

7.4 An exercise was carried out by the Council in the preparation of the local plan which aimed to establish Green Belt Character Areas and highlighted the role and importance of the Green Belt surrounding Skelton.



7.5 The figure (shown above) was prepared following the production of a technical paper which looks at potential amendments to the Green Belt. The Green Belt to the west of Skelton, beyond the A19, is identified as an extension to the Green Wedge. The Green Belt to the north, is identified as area important to the rural setting of Skelton and the to the south of Skelton is identified as being important to prevent coalescence. The Site is clearly identified as lying within the settlement of Skelton and is not identified as having a particular Green Belt role. This clearly demonstrates that the Council considers that the land around the Site does not form any locally important Green Belt purpose.

7.6 Further, the Site was identified by the Council as a proposed housing allocation in the Preferred Options (June 2013) and the Publication Draft (September 2014) versions of the local plan and as such it is plain that the Council previously did not consider that the Site performed any significant Green Belt purpose and that it is not important to keep the Site permanently open.

7.7 We therefore object to the Site being included within the Green Belt within the Local Plan.

Soundness

7.8 The Local Plan does not provide sufficient housing land to meet needs of the housing market area and those sites allocated will not deliver the units identified and as the Site does not perform a Green Belt purpose it should not be included in the Green Belt. On the basis of the above we consider that the Local Plan is unsound, it is not justified and will not be effective and therefore does not deliver sustainable development in accordance with national policy.

Modifications

- 7.9 Site H34 should be removed from the Green Belt and either allocated for housing development or as safeguarded land.

8.0 Objection to Policy H1 - Housing Allocations

8.1 We note that the Local Plan is highly reliant on delivery from a number of very large sites. These are sites of a 1000 dwellings or more and include: -

Site	Site Name	Plan period capacity	Overall Capacity
ST5	York Central	1500	1700-2500
ST14	Land West of Wigginton Road	1200	1348
ST15	Land West of Elvington Lane	2200	3339
Total			6387-7187

8.2 If these sites are delayed or do not come forward as anticipated it will adversely affect the ability of the Council to deliver housing in a timely manner.

8.3 Further, the reliance on these large sites inhibits housing delivery in general as only the very large volume house builders can develop these sites thereby limiting the number of outlets and house builders operating in an area. This depresses housing delivery rather than boosting delivery.

8.4 This is recognised in the Government's white paper entitled 'Fixing our broken housing market' (2017). In this document, the Government encourages local planning authorities to make more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land, regenerating estates, **releasing more small and medium-sized sites**, allowing rural communities to grow and making it easier to build new settlements.

8.5 The white paper goes on to recognise that promoting a good mix of sites and increase the supply of land available to small and medium-sized housebuilders will help to diversify the housebuilding sector and encourage more competition.

8.6 To boost significantly the supply of housing, as required by the Framework, it is clear that the Local Plan needs to identify a range and choice of sites. It is considered that the Local Plan is overly reliant on a number of very large proposed housing allocations. As such it is considered that H34, which is a relatively small parcel of land associated with a sustainable community, should be allocated for development particularly as it does not perform a Green Belt purpose and it is accepted by the Council that the Site can be developed.

Soundness

8.7 The Local Plan does not provide a robust range and choice of housing land to meet the housing requirement and to diversify the house building sector and encourage more competition. On the

basis of the above we consider that Policy H1 of the Local Plan is unsound and will not be effective and therefore not deliver sustainable development in accordance with national policy.

Modification

- 8.8 To address the above H34 should be reintroduced into the plan and reallocated for housing development under Policy H1.

9.0 Objection to Policy H2 - Density of Development

- 9.1 In addition to the comments relating to the OAHN and the proposed housing land supply we also have concerns about the density of development that the Council believe can be delivered from the various allocated sites.
- 9.2 We welcome the clarification that this policy should be used as a general guide and that the density of any development will need to respond to its context.
- 9.3 We however have concerns about the density of development that the Council believe can be delivered from the various allocated sites.
- 9.4 We note that as a general trend the density of development on allocated sites increased in the Preferred Sites Consultation (2016) when compared to the Publication Draft (2014). These densities increased again when comparing the Preferred Sites Consultation (2016) to the Pre-Publication Draft. See the table attached at **Appendix 5**.
- 9.5 It would appear that the Council have changed their approach to calculating development densities between the various draft iterations of the local plan. For example, in the Preferred Options (2013) it was assumed that in the villages and rural areas development would occur at 30 dwellings per hectare. In the Publication Draft (2014) it is assumed that development in the villages and rural areas would occur at 35 dwellings per hectare. We feel that for villages and rural areas a development density of 30 dwellings per hectare would be more appropriate.
- 9.6 The development density for suburban areas, which includes Haxby and Wigginton, is identified as 40 dwellings per hectare. Given the character and form of some suburban areas it is considered that such a density of development could be harmful particularly if a balanced development is to be provided. A development density of 40 dwellings per hectare is more characteristic of high density urban living rather than an extension to sustainable suburban areas and villages. It implies a high proportion of small tight knit dwellings which would be uncharacteristic of locations adjoining urban areas and villages which have typically been developed at about 25 dwellings per hectare. It would be reasonable to expect a development density above 30 dwellings per hectare but 40 dwellings per hectare is too high.
- 9.7 As to the proposed development densities of 50 dwellings per hectare for urban areas and 100 dwellings per hectare within the city centre, these densities of development are considered ambitious particularly where there is a need to incorporate open space. Development at this density may limit the marketability of the product and if this is the case it would not boost housing delivery.
- 9.8 The proposed densities and the increases in the yields from individual sites needs to be fully explained and justified.

- 9.9 The Council need to justify the density of development in the various areas and the increases in the yields from various sites in order to ensure that they are robust and are not going to lead to a shortfall in housing delivery.
- 9.10 On the basis of the above we object to the proposed development densities being applied in policy H2 and on individual sites.

Soundness

- 9.11 We consider that Policy H2 and the associated assumed yields applied to various allocations are unsound and not justified and will not ensure effective delivery of the housing requirement and is therefore inconsistent with national policy.

Modification

- 9.12 We suggest that that net development density is reduced and that greater flexibility is included in the policy to allow for balanced developments to be created.

10.0 Objection to Policy H3 – Housing Market

- 10.1 This policy is related to balancing the housing market. We do not object to the principle of this policy and indeed we welcome the acknowledgement in the Local Plan that the Council will *“seek to balance the housing market across the plan period”*. In this regard we welcome the use of the word *“seek”*. However, the policy then says that the applicants *“will be required to balance the housing market by including a mix of types of housing which reflects the diverse mix of need across the city”*. The use of the word *“required”* is onerous and is not reflective of the tone of the policy when read as a whole. For example, the policy goes onto state that *“the final mix of dwelling types and sizes will be subject to negotiation with the applicant”*.
- 10.2 Further, we also feel that it is unreasonable for an applicant to provide sufficient evidence to support their proposals particularly where a developer is providing a housing mix which is broadly in accordance with the identified need. This should be deleted.

Soundness

- 10.3 We consider that Policy H3 is unsound as it will not be effective, it is not justified, and is not consistent with national policy.

Modification

- 10.4 We suggest the policy should be modified to provide greater flexibility to allow for balanced developments to be created. In this regard we would suggest amending the policy to read *“Proposals for residential development should assist in balancing the housing market, unless material considerations indicate otherwise, by including a mix of types of housing that respond to and reflects the diverse mix of need across the city and the character of the locality.”*

11.0 Objection to the Allocation of ST5

- 11.1 The Local Plan identifies this site as having a total site area of 78ha and a net developable area of 35ha. The Local Plan suggests that this proposed allocation will be a mixed use development allegedly providing 1700 to 2500 dwellings of which a minimum of 1,500 will be delivered in the plan period and 100,000 sq.m of office space (B1a).
- 11.2 We note that this will be an extremely challenging site to bring forward. Indeed we are aware that Network Rail and its predecessors have been trying to develop the site since the 1960's/1970's (some fifty years) but development has never been brought forward. Given the length of time that this site has been theoretically available there is quite a considerable amount of doubt as to its viability and deliverability.
- 11.3 Our concern here is exacerbated by the fact that we still do not believe that there is any developer interest. The site is not attractive to the private sector due to the high risks of development.
- 11.4 We understand that the Council are seeking to de-risk the development with public funds but this will not necessarily bring the site forward as there is no or little track record within the City of York of large scale grade 'A' office space or high rise residential accommodation particularly for private purchasers. There are therefore few or no comparable projects to give developers confidence to invest in proposals for development on the site even if public funds are invested.
- 11.5 To make the scheme work there is a need to create high density, high rise family apartment accommodation (apartment blocks of between 6 and 8 storeys in height and houses of between 2 and 4 storeys) on the site and there is no or little comparable market information for this type of development in York. Therefore the market is likely to be nervous of this type of development. Indeed family apartments of the type envisaged by the Council on the York Central site may end up being more expensive than other housing options in and around the City. Therefore, people who wish to live at York Central will do so as a life style choice and this will limit sales and further depress developer interest.
- 11.6 Without confidence in the market place, interest in speculative development is likely to be slow. This would suggest to us that the proposed development, even if allocated, will take a considerable period of time to deliver – if at all.
- 11.7 Furthermore, given the historic importance of this skyline in York we are also concerned that a large cluster of tall buildings would have an adverse impact on the skyline and would be found to be unacceptable by Historic England and the Council's own heritage department.
- 11.8 In conclusion, there is currently no developer interest and insufficient evidence to demonstrate that site ST5 is suitable for the type and scale of development proposed or when the site will be genuinely available for development and that the proposed development is achievable in the timescales and quantum set out.

Soundness

- 11.9 We consider the allocation of ST5 to be unsound in that ST5 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

Modification

- 11.10 We do not suggest that allocation known as ST5 should be deleted but rather that an aspirational but achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST5 should be 410 units as set out in the Publication Draft (2014). This level of development is more realistic and achievable.

12.0 Objection to the Allocation of ST14

Introduction

- 12.1 This allocation constitutes a new standalone settlement, or 'garden village' to the east of Skelton. The site has an indicative capacity of 1,348 dwellings, of which 1,200 dwellings are to be constructed over the plan period (to 2032).
- 12.2 This site was previously included within the Publication Draft (2014) as a strategic site with a total site area of 157 hectares and a total site capacity of 2,800 dwellings. This site was revised due to concerns relating to the Green Belt, historic character and setting.
- 12.3 The site is isolated from existing settlements and located within the agreed general extent of the York Green Belt. It is unclear why this site is considered appropriate to be removed from the Green Belt, and not smaller more sustainable sites which sit at the edge of existing settlements and which could deliver housing promptly and sustainably and thereby boosting housing supply in accordance with national policy.
- 12.4 We are not sure how the change in the size of the allocation has overcome these technical and policy concerns.

Our Concerns

- 12.5 Our principle concern however relates to the delivery of the site and in particular the estimated yield within the plan period.
- 12.6 The Council have indicated in their letter to the Secretary of State in January 2018 and the Local Development Scheme (2017) that the Local Plan will be submitted to the Secretary of State at the end of May and that the plan will be examined between June and August 2018 with the Inspector's report being available towards the end of 2018. The Council have indicated that they hope to adopt the Local Plan in February 2019.
- 12.7 Lichfields, who have produced a well-considered and robust publication on the delivery of large scale housing schemes¹ estimate lead in times for developments. Lead in times relate to matters such as: -
- Securing outline planning permission;
 - Negotiations on S106;
 - The approval of reserved matters;
 - The discharge of conditions;
 - Completion of land purchases
 - Mobilisation; and
 - Infrastructure works.

¹ Start to Finish – How Quickly do Large-Scale Housing Site Deliver? November 2016

12.8 Lead in times vary in relation to the stage that a proposal has reached and by the size of the site. The larger the site the more difficult the negotiations and matters that need to be resolved. The following table sets out a general and robust methodology for calculating lead in times.

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 Year	1.5 Years	2 Years
Outline Planning Permission	1.5 Years	2 Years	2.5 Years
Application Pending Determination	2.5 Years	3 Years	3.5 Years
No Planning Application	3 Years	3.5 Years	4 Years

12.9 To date no planning application has been submitted and the development of this site will require significant infrastructure works, particularly to obtain access, and extensive community facilities in order to deliver the proposed development and to make it sustainable.

12.10 ST14 is a large proposal which will generate a significant increase in traffic on the A1237. Capacity enhancements will need to be made to roads and junctions within the vicinity of the site in order to accommodate this development and these works will need to be undertaken in advance of the completion of any units. Providing sufficient access to and mitigating the impacts of the development will require substantial infrastructure to be put in place and this will take time to deliver.

12.11 If you apply the standard methodology above it is possible that a start of development works will occur 4 years from the point of assessment or 3.5 years after the submission of the outline application which is likely to be sometime in the future. For the purpose of this exercise we have assumed 4 years from April 2018. Therefore, a start of works can be assumed as April 2022.

12.12 In a similar fashion it is possible to estimate delivery rates based on the size of the site. Small sites, less than 100 units, tend to be built by local or regional builders. On sites of less than 250 units only one volume house builder is normally active but on sites up to 500 units there may be a second volume house builder and on sites over 500 units there may be a third volume house builder. See the table below.

	0-100 units	100-250 units`	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

12.13 We assume that there will be 3 different house builders on the ST14. We have therefore assumed a delivery rate of 90 dwellings per annum.

- 12.14 If the lead in time is 4 years the residual Local Plan period will be 10 years. Building at 90 dwellings per annum and assuming a remaining 10 year plan period ST14 would deliver 900 dwellings. A shortfall of 300 dwellings in comparison to the Local Plans estimated yield.
- 12.15 There is a need to allocate a wide range and choice of housing sites throughout the District and the allocation of several extremely large sites, notably ST14 and ST15, does little to ensure a robust and longer-term level of housing delivery. In fact, the allocation of these two sites limits the number of outlets and the geographical distribution of sites and as a consequence it hinders housing land supply and delivery rather than boosting it.
- 12.16 As a consequence, it is considered that the Council should reinstate the proposed housing allocation known as H34 as the Council have already concluded that this Site is available, that the land is suitable for development and that development is achievable.

Soundness

- 12.17 We do not object to the principle of the allocation but we do consider the estimated yield from ST14 to be overly ambitious so as to call into question the ability of the Local Plan to deliver houses to meet the housing requirement. As such we consider the yield assumed for ST14 to be unsound in that ST14 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

Modification

- 12.18 We do not suggest that allocation known as ST14 should be deleted but rather that an achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST14 should be reduced to 900 units. We consider that this number of units is more realistic and achievable.

13.0 Objection to the Allocation of ST15

Introduction

- 13.1 This allocation is, to all intents and purposes, an entirely new settlement located within the open countryside to the west of Elvington. The site has an indicative site capacity of 3,339 dwellings, of which 2,200 dwellings will be constructed over the plan period (to 2032/33).
- 13.2 The site is currently located within the agreed general extent of Green Belt around the City of York. It is unclear why the Local Plan considers it to be appropriate to remove this large site from the Green Belt and not allocate other smaller more sustainable sites which are situated on the edge of existing settlements and which could deliver housing promptly and sustainably and thereby boosting housing supply in accordance with national policy.

Our Concerns

- 13.3 Our principle concern however relates to the delivery of the site and in particular the estimated yield within the plan period.
- 13.4 The Council have indicated in their letter to the Secretary of State in January 2018 and the Local Development Scheme (2017) that the Local Plan will be submitted to the Secretary of State at the end of May and that the plan will be examined between June and August 2018 with the Inspector's report being available towards the end of 2018. The Council have indicated that they hope to adopt the Local Plan in February 2019.
- 13.5 Lichfield, who have produced a well-considered and robust publication on the delivery of large scale housing schemes² estimate lead in times for developments. Lead in times relate to matters such as: -
- Securing outline planning permission;
 - Negotiations on S106;
 - The approval of reserved matters;
 - The discharge of conditions;
 - Completion of land purchases
 - Mobilisation; and
 - Infrastructure works.
- 13.6 Lead in times vary in relation to the stage that a proposal has reached and by the size of the site. The larger the site the more difficult the negotiations and matters that need to be resolved. The following table sets out a general and robust methodology for calculating lead in times.

² Start to Finish – How Quickly do Large-Scale Housing Site Deliver? November 2016

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 Year	1.5 Years	2 Years
Outline Planning Permission	1.5 Years	2 Years	2.5 Years
Application Pending Determination	2.5 Years	3 Years	3.5 Years
No Planning Application	3 Years	3.5 Years	4 Years

13.7 ST15 is a large-scale proposal located in an isolated position within the open countryside and the Green Belt. No planning application has been submitted and the development of this site will require significant infrastructure works, particularly to obtain access, and extensive community facilities in order to deliver the proposed development and to make it sustainable.

13.8 If you apply the standard methodology it is possible that a start of development works will occur 4 years from the point of assessment or 3.5 years after the submission of the outline application which is likely to be sometime in the future. For the purpose of this exercise we have assumed 4 years from April 2018. Therefore, a start of works can be assumed as April 2022.

13.9 In a similar fashion it is possible to estimate delivery rates based on the size of the site. Small sites, less than 100 units, tend to be built by local or regional builders. On sites of less than 250 units only one volume house builder is normally active but on sites up to 500 units there may be a second volume house builder and on sites over 500 units there may be a third volume house builder. See the table below.

	0-100 units	100-250 units`	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

13.10 We assume that there will be 3 different house builders on the ST15. We have therefore assumed a delivery rate of 90 dwellings per annum.

13.11 If the lead in time is 4 years the residual Local Plan period will be 10 years. Building at 90 dwellings per annum and assuming a remaining 10 year plan period then ST15 would deliver 900 dwellings.

13.12 There is a need to allocate a wide range and choice of housing sites throughout the District and the allocation of several extremely large sites, notably ST14 and ST15, does little to ensure a robust and longer-term level of housing delivery. In fact, the allocation of these two sites limits the number of outlets and the geographical distribution of sites and as a consequence it hinders housing land supply and delivery rather than boosting it.

13.13 As a consequence, it is considered that the Council should reinstate the proposed housing allocation known as H34 as the Council have already concluded that this Site is available, that the land is suitable for development and that development is achievable.

Soundness

- 13.14 We do not object to the principle of the allocation but we do consider the estimated yield from ST15 to be unrealistic and to call into question the ability of the Local Plan to deliver houses to meet the housing requirement. As such we consider that the yield assumed for ST15 to be unsound in that ST15 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

Modification

- 13.15 We do not suggest that allocation known as ST15 should be deleted but rather that an achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST15 should be reduced to 900 units. We consider that this number of units is more realistic and achievable.

14.0 Objection to Lack of Safeguarded Land Policy

- 14.1 The NPPF states in paragraph 79 that the *'fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belts are their openness and their permanence'*. It is clear from the above that a Green Belt should be permanent.
- 14.2 The NPPF does not define the term permanence or how long a Green Belt should remain unaltered. However, it is at least 5 years beyond the end of the plan period but more commonly it is 10 years.
- 14.3 Paragraph 83 of the NPPF indicates that authorities should consider Green Belt boundaries having regard to their intended permanence in the long term so that they can be capable of enduring beyond the plan period. Whilst the term permanence is not defined it is clear that a Green Belt should endure for a period longer than the plan period which, in this case, ends in 2032.
- 14.4 By the time that the plan is adopted it will be at least 2019 leaving a residual plan period of only 13 or 14 years.
- 14.5 In accordance with paragraph 84 of the NPPF, when drawing up or reviewing Green Belt boundaries, local authorities are required to take account of the need to promote sustainable patterns of development.
- 14.6 In order to do this paragraph 85 of the NPPF indicates that local planning authorities should:
- *"Ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
 - *Not include land which it is unnecessary to keep permanently open;*
 - *Where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
 - *Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
 - *Satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
 - *Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent."*
- 14.7 The above means that: -
- To achieve sustainable development a local authority needs to take account of the objectively assessed need for development and provide sufficient land to accommodate this need.
 - The guidance advises that local planning authorities should not include land that does not need to be kept permanently open.
 - It is also apparent from paragraph 85 that when defining a Green Belt, a local authority needs to consider the development needs of the district which are to be met during the plan period

as well as the longer-term development needs of the District. The term “*stretching well beyond the plan period*” is significant. Well beyond implies a period greater than a few years.

- The ‘*where necessary*’ term in paragraph 85 of the NPPF applies, in our view, to situations where there is a need to allow for longer term development. So that this need can be met in due course, land should be safeguarded for the purposes of development and by identifying such land ‘*the Green Belt can be protected from encroachment thus ensuring its boundaries remain permanent.*’

14.8 What is clear from the NPPF is that when defining a Green Belt, the Green Belt should be permanent and endure well beyond the plan period and that a local authority should meet its identified development needs both during the plan period and beyond without needing to undertake an early review of the plan.

14.9 Within the Local Plan no safeguarded land is proposed. The reason given for this is that there are a few Strategic Sites identified within the document that have an anticipated build out time beyond the plan period. However, the number of the strategic sites available to provide for the longer-term development needs of the City is severely limited. Some of the identified sites are small and as allocations there is nothing stopping them being built out during the plan period.

14.10 The table below provides details of the strategic sites that the Council have identified to provide the additional housing capacity after the plan period has finished:

Site	Site Name	Plan period capacity	Overall Capacity	Additional capacity following plan period
ST5	York Central	1500	1700-2500	200- 1000
ST14	Land West of Wigginton Road	1200	1348	148
ST15	Land West of Elvington Lane	2200	3339	1139
ST36	Imphal Barracks, Fulford Road	0	769	769
Total				2306 - 3056

14.11 Only four strategic sites are identified by the Council as delivering residential development at the end of the plan period.

14.12 The City of York Council identify ST5 and ST15 as the two sites which will provide the majority of the additional housing with ST14 contributing a smaller but significant quantity.

14.13 Site ST36 is not proposed to come forward until after the plan period as The Defence Infrastructure Organisation are not intending to dispose of the Site until 2031. There are several potential issues with the delivery of this site relating to historic interest and archaeology which will need to be

investigated in detail to allow the site to come forward and may result in delays to development and/or a reduction in developable area.

- 14.14 This raises some serious concerns. The NPPF requires local planning authorities to maintain a 5-year housing land supply. It is clear from the above that even if the 4 sites identified by the Council were to deliver housing in the period 2032/33 to 2037/38 these 4 sites would not be sufficient to enable the Council to demonstrate a 5-year housing land supply as there is only so many units that can be delivered from any one site. There are simply not enough potential outlets in the supply to achieve a 5-year housing land supply. Further as two thirds of the total supply is in two sites and as we anticipate that these sites will deliver about 90 dwellings per annum it is clear that they will be delivering completions well beyond 2037/38. This further reduces the 5-year housing land supply. Effectively it would mean that before the end date of the plan period the Council would need to undertake a review of the plan to identify additional sites to ensure that the Council could maintain a 5 year housing land supply. If there is no 5-year housing land supply the Green Belt will have to be amended in 2032 or before resulting in the Green Belt not enduring for a minimum of 20 years.
- 14.15 Consequently, the life of the Green Belt around York, from adoption to modification, will be no more than 12 to 13 years and probably less. This short period of time cannot be regarded as comprising a permanent Green Belt around York. Consequently, the approach in the Local Plan of not providing a wide range and choice of safeguarded land sites is contrary to the NPPF.

Soundness

- 14.16 We consider that the lack of a safeguarded land policy and the lack of identified safeguarded land sites to be unsound and unjustified and as such the Local Plan will not be effective. We consider that the lack of a safeguarded land policy and safeguarded site to contrary to national policy.

Modification

- 14.17 The inclusion of a safeguarded land policy and an appropriate quantum of safeguarded land sites.

15.0 Objection to Lack of a Safeguarded Land Allocation

15.1 In previous iterations of the Local Plan, the Council have accepted that the sites allocated for development performed little or no Green Belt purposes. Paragraph 85 of the NPPF indicates that land should not be kept within the Green Belt which is unnecessary to be kept permanently open. The Council have therefore already accepted that the sites previously allocated for housing development do not need to be kept permanently open.

15.2 At the very least, and in the alternative to a housing allocation in the Local Plan, it is clear that the sites that were previously identified as housing allocations should now be allocated as safeguarded land.

Soundness

15.3 We consider that the lack of a safeguarded land policy and the lack of identified safeguarded land sites to be unsound and unjustified and as such the Local Plan will not be effective. We consider that the lack of a safeguarded land policy and safeguarded sites is contrary to national policy.

Modification

15.4 The inclusion of H34 as a safeguarded land site as an alternative to a housing allocation.

Appendix 1 – Site Location Plan



564 565 566 567 568

4200
3.038ha
7.61

8700
5.579ha
13.77

7300
2.847ha
7.04

8600
3.134ha
7.74

4381
4.268ha
10.55

R.M. 18.25m
18.0m

7365
1.257ha
3.11

6002
0.1ha
20

6246
1.521ha
9.76

6247
0.80ha
20

6044
2.958ha
7.31

8570
1.28ha
30

R.M. 23.13m

St Giles Church
(C of E)

20 Pm

19.2m

27.4m

Farm Cottages

Lay-By

R.M. 18.25m

18.0m

Pond

71.25m

Pond

Station Manor Court

Oakwood

Pond

The Coach House

The Lodge

Cobblestone

Station Manor

Spring Hill Farm

Green Mania

Rectory

The Cottage

Cobblestone Willow Shade

Surgery

Rookery

Station Manor

Appendix 2 – Transport Appraisal by Fore Consulting

DPP UK Ltd
Land North of Church Lane, Skelton

Transport and Access Appraisal

16 August 2016
Version 1.0
Issue





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1 Introduction

1.1 Purpose of the Report

Fore Consulting (Fore) has been commissioned by agents of the land owner, to provide transport and highways advice in relation to the promotion of land to the north of Church Lane, Skelton for residential use.

The principal purpose of this report is to provide the necessary information on transport and highway matters to allow the identification of the key issues that may affect the future delivery of the site and enable it to be included for residential use through the emerging City of York Local Plan process.

This report focusses on the local impact of the potential development site and demonstrates that a safe and efficient access can be provided.

In preparing this submission, full consideration has been given to the key objectives contained in the City of York Council's (CoYC's) *Local Development Framework (LDF)*, used as the basis for the appraisal of development plan documents. The report also considers the '*National Planning Policy Framework*' (2012), which now provides the context for planning policy in England.

1.2 Background

The City of York Council consulted on the Preferred Options Local Plan and its supporting evidence base documents in summer 2013. The Local Plan set out the spatial strategy for the city which included identifying housing and employment growth.

Following this, a Further Sites Consultation was held in summer 2014, which showed the results of testing the suggested modifications and new sites received against the site selection methodology.

The Preferred Options and Further Sites Consultations resulted in a portfolio of sites to meet the identified housing and employment needs of the city for the Publication Draft Local Plan. The Local Plan Publication draft was taken to Members of the Local Plan Working Group and Executive in September 2014, who voted to take the draft Plan out to public consultation. However, this plan was halted by Members from progressing to consultation following a motion at a Full Council Meeting on 9th October 2014 to review the overall housing requirements included in the plan.

Since 2014, the Council has been updating the evidence base in line with the agreed motion. This has included taking further papers to Members of the Local Plan Working

Group in September 2015 in relation to the overall housing and employment requirements for York.

In July 2016, the Preferred Sites Consultation document was published which presents updated evidence in relation to both housing and employment needs and also presents a revised portfolio of sites to meet those needs based on further technical assessment. The consultation document requests views on these changes to help the Council decide where the city should provide potential development in the future and to inform the Publication Draft Local Plan later this year.

Within the Preferred Options Local Plan (2013), Policy H3 ‘Housing Allocations’ identified those sites required to meet the Council’s housing requirement set out in Policy H1 of the same document. This included the following site within the ‘*village/rural (including village extension)*’ designation:

Allocation Reference	Allocation Name	Allocation Size (ha)	Estimated Yield (no. dwellings)	Phasing
H34	Land North of Church Lane, Skelton	1.74	42	Short to Medium Term (Years 1 - 10)

It is therefore clear that, at that time, the Council considered that there were no technical reasons for not including the site for future housing.

The recently published Preferred Sites Consultation document now proposes the removal of the above site, for the following stated reasons:

‘The site has been removed following further technical officer consideration primarily due to site access concerns. The site has limited/narrow access with only a single connection available to The Village. There is insufficient space within the site boundary for a 5m wide access plus the required footway widths. There are also concerns raised about the visibility splays for safe access off The Village which would fall into the curtilage of existing properties (92 and 100) which are not within the submitted site boundary even if distance reduced’.

This submission seeks to demonstrate that a suitable and safe form of access can be provided to serve the proposed site (H34) and that there are no reasonable highway or access related grounds for not allocating the site within the emerging Local Plan.

1.3 The Site

The site comprises a total area of approximately 1.74 hectares and has been estimated, by the City of York Council, to be capable of accommodating up to 42 dwellings. The site is located to the north of Church Lane and immediately to the east of the A19. The site covers a single field, with mature hedgerows along most boundaries.

An existing lane is located along the eastern boundary of the site, connecting to Church Lane at the junction with St Giles Road. Three relatively new dwellings are located to the south of the site.

The location of the site is shown on Figure 1.

1.4 Structure of this Report

The report is structured as follows:

- Chapter 2 presents a summary of the national and local planning and transport policy context for the site.
- Chapter 3 presents an estimate of the likely traffic generation of the site and demonstrates how the development will be accessed.
- Chapter 4 summarises and concludes the outcomes of the report.

2 Transport and Planning Policy

2.1 National Policy

The ‘*National Planning Policy Framework*’ (NPPF) was published by the Department for Communities and Local Government (DCLG) in March 2012. NPPF provides national planning policy for England. It sets out how the planning system will contribute to achieving sustainable development through the following three roles:

- An economic role, by building a strong, responsive and competitive economy.
- A social role, by supporting strong, vibrant and healthy communities.
- An environmental role, by protecting and enhancing the natural, built and historic environment.

The NPPF sets out a presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay. Where the development plan is out-of-date or absent, proposals should be approved unless the adverse impacts would significantly, and demonstrably, outweigh the benefits when assessed against the NPPF, or specific policies in the NPPF indicate development should be restricted (for example, if the site is subject to certain environmental designations).

The NPPF sets out twelve core land-use planning principles that should be taken into account when making planning decisions, including:

“planning should... actively manage patterns of growth to make fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”

In particular, Paragraph 32 of the NPPF states that:

“All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- *The opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- *Safe and suitable access to the site can be achieved for all people; and,*

- *Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.”*

2.2 Planning Practice Guidance

Planning Practice Guidance (PPG) was launched by the Department for Communities and Local Government on 6 March 2014. It brings together many areas of English planning guidance into a new stream-lined format, which is linked to the National Planning Policy Framework.

PPG replaces previous planning practice guidance documents and therefore is a key material consideration in the decision making process, set within the overarching National Planning Policy Framework.

The NPPG provides advice on when Transport Assessments and Transport Statements are required, and what they should contain¹:

“Transport Assessments are thorough assessments of the transport implications of development, and Transport Statements are a ‘lighter-touch’ evaluation to be used where this would be more proportionate to the potential impact of the development (i.e. in the case of developments with anticipated limited transport impacts).”

Furthermore, it states that:

“Transport Assessments and Statements can be used to establish whether the residual transport impacts of a proposed development are likely to be “severe”, which may be a reason for refusal, in accordance with the National Planning Policy Framework.”

And:

“The Transport Assessment or Transport Statement may propose mitigation measures where these are necessary to avoid unacceptable or “severe” impacts.”

2.3 Local Policy

2.3.1 City of York Local Plan

The City of York Council consulted on the Preferred Options Local Plan and its supporting evidence base documents in summer 2013. The Local Plan set out the spatial strategy for

¹ *Travel plans, transport assessments and statements in decision-taking*, National Planning Practice Guidance, Department for Communities and Local Government, 2014.

the city which included identifying housing and employment growth. Following this, a Further Sites Consultation was held in summer 2014, which showed the results of testing the suggested modifications and new sites received against the site selection methodology.

The Preferred Options and Further Sites Consultations resulted in a portfolio of sites to meet the identified housing and employment needs of the city for the Publication Draft Local Plan. The Local Plan Publication draft was taken to Members of the Local Plan Working Group and Executive in September 2014, who voted to take the draft Plan out to public consultation. However, this plan was halted by Members from progressing to consultation following a motion at a Full Council Meeting on 9th October 2014 to review the overall housing requirements included in the plan.

More recently, the Preferred Sites Consultation document was published which presents updated evidence in relation to both housing and employment needs and also presents a revised portfolio of sites to meet those needs based on further technical assessment. The consultation document requests views on these changes to help the Council decide where the city should provide potential development in the future and to inform the Publication Draft Local Plan later this year.

2.3.2 Local Transport Plan 3

The third City of York Local Transport Plan (LTP3) was published in 2011 and sets out the long term transport strategy for York to 2031. The document sets out a vision that everyone is able “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.”

To achieve the vision, a transport strategy has been developed under five themes, as follows:

- Providing quality alternatives to the car to provide more choice and enable more trips to be undertaken by sustainable means.
- Improving strategic links between the key residential and employment areas in and around York, and beyond.
- Encouraging behavioural change to maximise the use of walking, cycling and public transport and continue improving road safety
- Tackling transport emissions to reduce the release of pollutants harmful to health and the environment.
- Enhancing public streets and spaces to improve the quality of life, minimise the impact of motorised traffic and encourage economic, social and cultural activity.

2.4 Summary

It is considered that the proposed development will operate in a manner in keeping with the relevant policy objectives. The site is suitably located within an existing built-up area, is accessible and has good quality access to local services and sustainable modes of transport as a result of its proximity to public transport services.

3 Access Proposals

3.1 Land Use

Whilst the precise quantum of residential development achievable on the site would be confirmed following a detailed masterplanning process, at this stage, based on the City of York Council's estimate, is envisaged that up to a maximum of 42 dwellings could be delivered on the site.

Existing hedgerows along the boundaries of the proposed allocation land would be retained, and potentially enhanced as part of the allocation proposals.

3.2 Vehicular Access

Vehicle access was identified in the recently published Preferred Sites Consultation document as the principal reason for the de-allocation of site H34. A preliminary layout, as shown on Fore Consulting Drawing 3467/SK001/001 has been prepared which demonstrates that access is achievable and accords with relevant guidance.

The key aspects of the layout are described below:

- Given the quantum of residential development achievable, a single point of vehicular access will be adequate for accessing the whole site.
- It is considered that access can be delivered via a new priority-controlled junction on Church Lane, to the east of the A19 junction and immediately to the west of the existing dwellings on the north side of Church Lane.
- Given that the vast majority of vehicular traffic is predicted to travel west, it is proposed to widen the Church Lane carriageway to 4.8m between the proposed access and the A19 junction. This represents a modest increase in the width of the carriageway and, whilst permitting two vehicles safely pass, will not change the character of the road.
- The wide width of the verge on the north side of Church Lane ensures that an appropriate level of visibility can be achieved. As demonstrated on Fore Consulting Drawing 3467/SK001/001, the following visibility splays are achievable:
 - To the east: 2.4m x 72m.
 - To the west: 2.4m x 52m (to the A19 junction).

All the highway works can be implemented within the extent of the adopted highway and/or land under the control of the landowner.



From on-site observations, it would appear that the eastern verge of the A19 to the south of Church Lane is currently used regularly by pedestrians. If considered appropriate, a continuous footway could be provided between the site access and the existing facility to the north of the A19 / St Giles Road junction to the south. This is a distance of some 200m and would provide a good connection to the existing bus stops. A possible footpath is shown indicatively on Fore Consulting Drawing 3467/SK001/001.

3.3 Traffic Generation

Traffic generation has been estimated using based on average person trip rates derived from the TRICS database, and a locally specific mode share for journeys to work.

Person trip rates have been derived from TRICS following interrogation for multi-modal survey sites based on the criteria set out in Table 1.

Table 1: TRICS Search Criteria

Proposed Land Use	TRICS Land Use	TRICS Category	Location
Residential	03 - Residential	A - Houses Privately Owned	Edge of Town

Weekday AM and PM peak periods have been considered as these periods are likely to represent the maximum combination of existing demand for the transport system and development-generated trips.

The resulting person trip rates are set out in Table 2 for the weekday AM and PM peak periods. The full TRICS output is presented at Appendix A.

Table 2: Weekday Peak Period Person Trip Generation

Time		Person Trip Rates Total Person Trips/dwelling		Person Trip Generation Total Person Trips	
		Arrivals	Departures	Arrivals	Departures
Weekday AM Peak Period	07:00-08:00	0.119	0.380	5	16
	08:00-09:00	0.290	0.952	12	40
	09:00-10:00	0.252	0.419	11	18
Weekday PM Peak Period	16:00-17:00	0.684	0.394	29	17
	17:00-18:00	0.638	0.336	27	14
	18:00-19:00	0.497	0.312	21	13

The development peak hours are the following:

- Weekday development AM peak hour ('AM peak hour'): 08:00 to 09:00 hours.
- Weekday development PM peak hour ('PM peak hour'): 16:00 to 17:00 hours.

2011 Census data² has been used to derive a mode share for the development. The mode share for the Middle Layer Super Output Area (MSOA) within which the site is located has been used (York 006). In this way, the mode share considered represents the likely travel characteristics of future residents of the site, based on the existing accessibility of the site by public transport and the configuration of the local highway network.

The assumed mode share and resulting person trip generation by mode is summarised in Table 3.

Table 3: Weekday Peak Hour Person Trip Generation by Mode

Mode	Mode Share % of all journeys by mode	AM Peak Hour 08:00 to 09:00		PM Peak Hour 16:00 to 17:00	
		Arrivals	Departures	Arrivals	Departures
Train	3%	0	1	1	0
Bus, minibus or coach	6%	1	2	2	1
Taxi	0%	0	0	0	0
Motorcycle	1%	0	0	0	0
Car driver	72%	9	29	21	12
Car passenger	5%	1	2	2	1
Bicycle	7%	1	3	2	1
On foot	6%	1	2	2	1
Total	100%	12	40	29	17

² Dataset reference QS701EW ('method of travel to work'). The dataset includes all usual residents aged 16 to 74, whilst the categories 'Not in employment', 'Work mainly at or from home' and 'Other method of travel to work' have been removed.

3.4 Impact on the Local Highway Network

The distribution of vehicle trips associated with the allocation proposals, based on data derived from the 2011 Census data³ for the York 006 MSOA, is presented in Table 4.

Table 4: Vehicle Trip Distribution

Route		% of Vehicle Trips	AM Peak Hour 08:00 to 09:00		PM Peak Hour 16:00 to 17:00	
			Arrivals	Departures	Arrivals	Departures
A19	N	6.5%	1	2	1	1
	S	85.0%	8	25	18	10
Church Lane	E	8.5%	1	2	2	1
Total		100.0%	9	29	21	12

Based on the estimated development traffic flows, the vast majority (over 90%) of vehicles generated by the site are anticipated to travel west along Church Lane to the junction with the A19. Development traffic is likely to use this junction as it forms the main route for access to York and the strategic road network around the city. Fore Consulting Drawing 3467/SK001/001 demonstrates that visibility at the A19 / Church Lane junction accords with the relevant standards.

As can be seen from the above table, a low number of vehicles are predicted to travel along Church Lane to the east.

Based on the estimated flows, on average, the impact is likely to equate to less than one vehicle every two minutes during the peak hours. This is not considered to be material or 'severe' in the context of NPPF.

The precise impacts of traffic associated with the allocation would be confirmed at the planning application stage following collection of traffic data and detailed capacity assessment. However, at this stage, given the estimated impacts highlighted it is considered that development traffic can be safely and efficiently accommodated on the road network.

³ Dataset reference WU03EW ('location of usual residence and place of work by method of travel to work (MSOA level)').

4 Summary and Recommendations

This report has been prepared to assess the transport and access implications of a proposed residential allocation on 1.74ha of land to the north of Church Lane, Skelton. The proposed allocation would be served via a new junction off Church Lane.

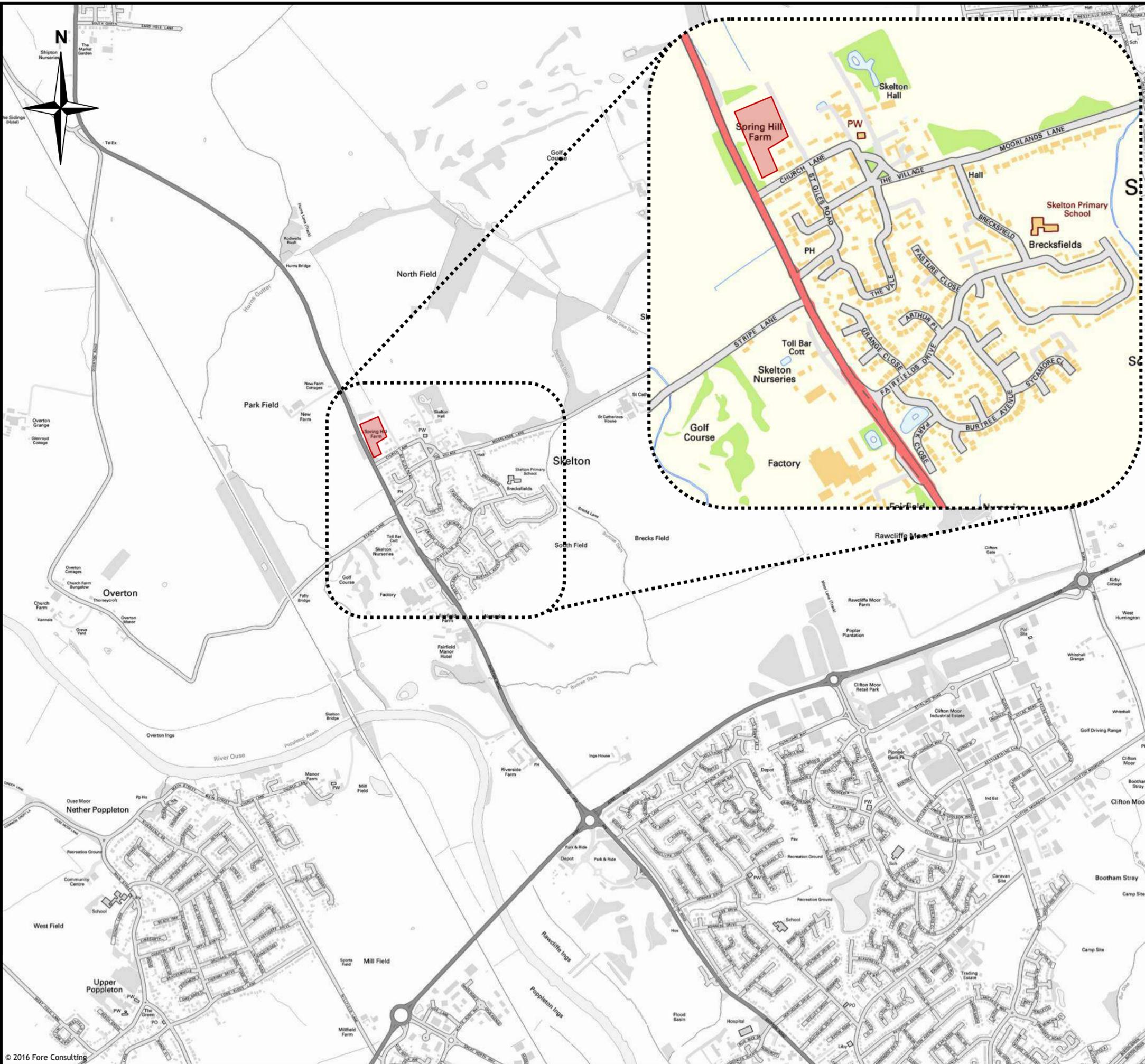
Within the Council's Preferred Options Local Plan (2013), Policy H3 'Housing Allocations' included site H34 as meeting the Council's housing requirement set out in Policy H1 of the same document. **It is therefore clear that, at that time, the Council considered that there were no technical reasons for not including the site for future housing.**

Based on the assessments undertaken within this report, it is considered that the site is deliverable from a transport and access perspective, for the following key reasons:

- With a potential development of up to 42 residential dwellings, the site can be safely served by a single point of vehicular access from Church Lane.
- An access can be provided which accords with the necessary design standards, and options exist to further improve the local road network through modest local widening on Church Lane and footway provision along the A19. The scale of the improvements would not change the character of the road.
- The site is located within a reasonable walking distance of existing bus stops, providing public transport links to a range of local and regional facilities.
- It is considered that the impact of the low numbers of additional development traffic can be adequately accommodated on the existing road network and would have no adverse impact on the safe and free flow of traffic.
- The proposals accord with both national and local transport policy. In particular, residents of the proposed development would be able to access local facilities, utilise existing bus services and any additional vehicular traffic would not have a detrimental impact on the adjacent road network.

Considering all of the above, it is concluded that the land use proposals are acceptable and can be delivered from a transport perspective and, as a result, there is no reason in terms of transport and access why the site should not continue to be promoted for residential use.

Figures



Key:

-  Site Location
-  Indicative Boundary

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Client:
 DPP UK Ltd

Project:
 Land North of Church Lane, Skelton

Figure Title:
 Site Location

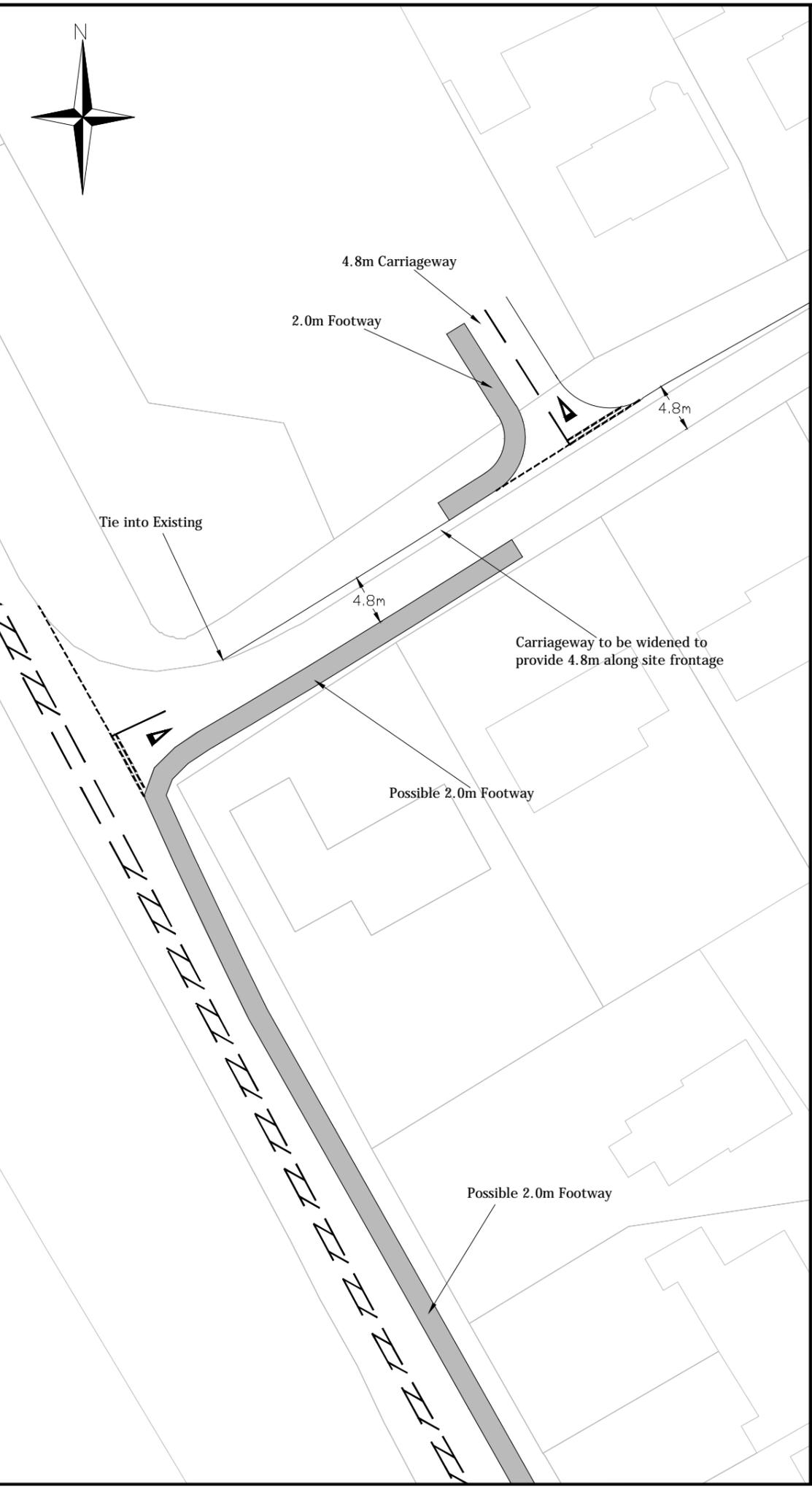
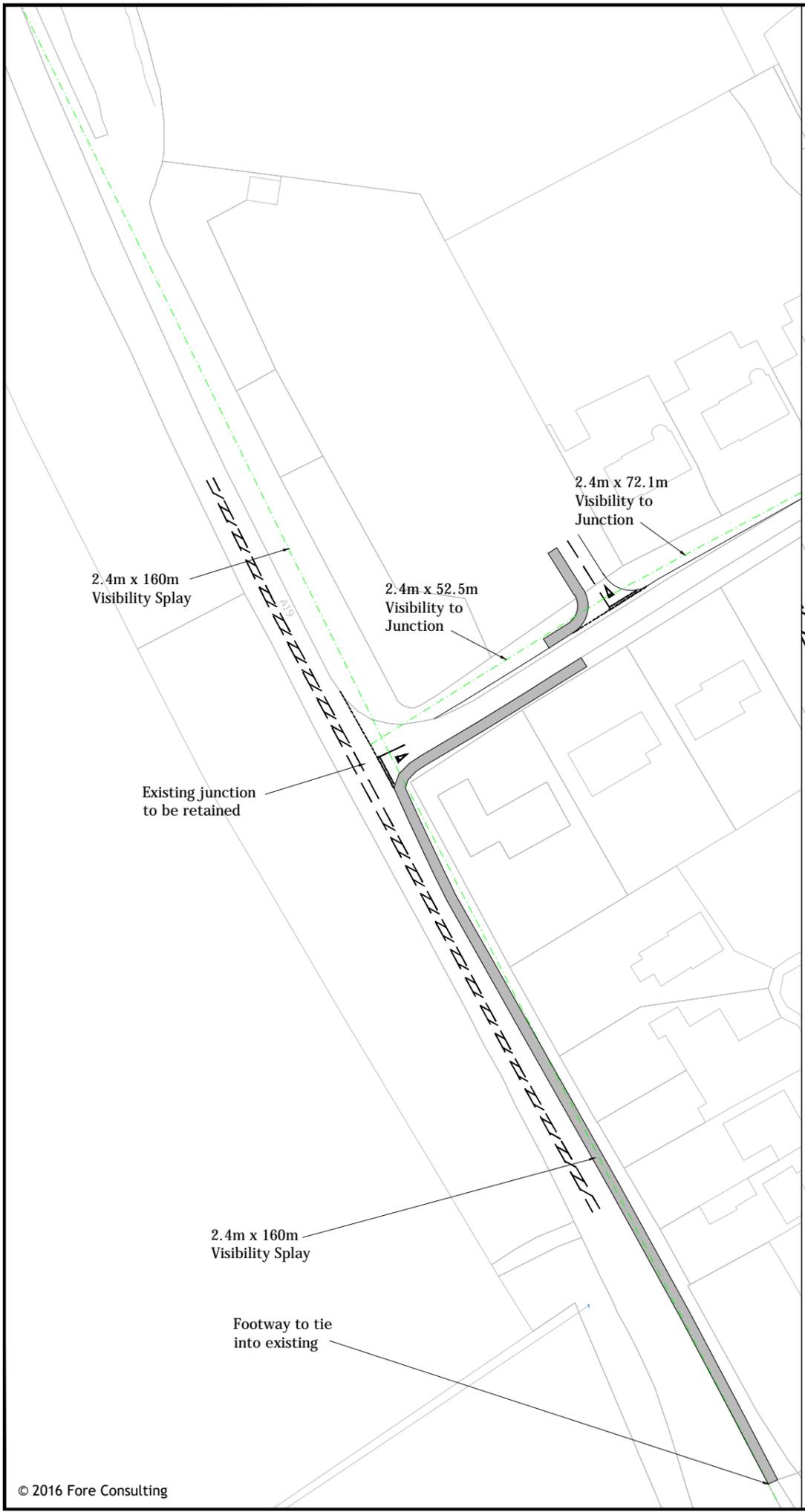
Scale:
 Not to Scale

Figure Status:
 Issue

Job Number:
 3467

Figure Number:
 Figure 1

Drawings



Notes

1. Preliminary layout subject to full topographical survey & detailed design including CDM compliance, statutory undertakers search, diversion requirements, highway drainage provision, land availability and local authority approval.

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Client:
DPP UK Ltd

Project:
Land North of Church Lane, Skelton

Drawing Title:
Possible Access Arrangement from Church Lane

Scale:
1:1000 / 1:500 @ A3

Drawing Status:
Preliminary

Job Number:
3467

Drawing Number:
3467/SK001/001

Appendix A

TRICS Output

Calculation Reference: AUDIT-752701-160725-0733

TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 03 - RESIDENTIAL
 Category : A - HOUSES PRIVATELY OWNED
 MULTI-MODAL VEHICLES

Selected regions and areas:

02	SOUTH EAST	
	ES EAST SUSSEX	1 days
03	SOUTH WEST	
	DC DORSET	1 days
	SM SOMERSET	1 days
04	EAST ANGLIA	
	NF NORFOLK	1 days
	SF SUFFOLK	1 days
06	WEST MIDLANDS	
	SH SHROPSHIRE	3 days
	WK WARWICKSHIRE	1 days
07	YORKSHIRE & NORTH LINCOLNSHIRE	
	NY NORTH YORKSHIRE	1 days
08	NORTH WEST	
	CH CHESHIRE	1 days
	GM GREATER MANCHESTER	1 days
09	NORTH	
	CB CUMBRIA	1 days
11	SCOTLAND	
	EA EAST AYRSHIRE	1 days
	HI HIGHLAND	1 days
12	CONNAUGHT	
	RO ROSCOMMON	1 days
16	ULSTER (REPUBLIC OF IRELAND)	
	CV CAVAN	1 days
	DN DONEGAL	2 days

This section displays the number of survey days per TRICS® sub-region in the selected set

Filtering Stage 2 selection:

This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation.

Parameter: Number of dwellings
 Actual Range: 7 to 54 (units:)
 Range Selected by User: 4 to 60 (units:)

Public Transport Provision:

Selection by: Include all surveys

Date Range: 01/01/08 to 12/11/15

This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.

Selected survey days:

Monday	2 days
Tuesday	2 days
Wednesday	4 days
Thursday	9 days
Friday	2 days

This data displays the number of selected surveys by day of the week.

Selected survey types:

Manual count	19 days
Directional ATC Count	0 days

This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaken using machines.

Selected Locations:

Edge of Town	19
--------------	----

This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.

Selected Location Sub Categories:

Residential Zone	16
No Sub Category	3

This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.

Filtering Stage 3 selection:

Use Class:

C1	1 days
C3	18 days

This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.

Filtering Stage 3 selection (Cont.):

Population within 1 mile:

1,001 to 5,000	5 days
5,001 to 10,000	4 days
10,001 to 15,000	5 days
15,001 to 20,000	2 days
20,001 to 25,000	1 days
25,001 to 50,000	2 days

This data displays the number of selected surveys within stated 1-mile radii of population.

Population within 5 miles:

5,000 or Less	2 days
5,001 to 25,000	3 days
25,001 to 50,000	3 days
50,001 to 75,000	2 days
75,001 to 100,000	6 days
100,001 to 125,000	1 days
250,001 to 500,000	1 days
500,001 or More	1 days

This data displays the number of selected surveys within stated 5-mile radii of population.

Car ownership within 5 miles:

0.6 to 1.0	4 days
1.1 to 1.5	15 days

This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.

Travel Plan:

Yes	1 days
No	18 days

This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.

LIST OF SITES relevant to selection parameters

1	CB-03-A-03 SEMI DETACHED HAWKSHEAD AVENUE		CUMBRIA
	WORKINGTON Edge of Town Residential Zone Total Number of dwellings: 40 Survey date: THURSDAY 20/11/08		Survey Type: MANUAL
2	CH-03-A-05 DETACHED SYDNEY ROAD SYDNEY CREWE		CHESHIRE
	Edge of Town Residential Zone Total Number of dwellings: 17 Survey date: TUESDAY 14/10/08		Survey Type: MANUAL
3	CV-03-A-01 DETACHED DUBLIN ROAD		CAVAN
	CAVAN Edge of Town No Sub Category Total Number of dwellings: 37 Survey date: TUESDAY 18/12/12		Survey Type: MANUAL
4	DC-03-A-08 BUNGALOWS HURSTDENE ROAD CASTLE LANE WEST BOURNEMOUTH		DORSET
	Edge of Town Residential Zone Total Number of dwellings: 28 Survey date: MONDAY 24/03/14		Survey Type: MANUAL
5	DN-03-A-02 DETACHED GLENFIN ROAD		DONEGAL
	BALLYBOFEY Edge of Town Residential Zone Total Number of dwellings: 7 Survey date: THURSDAY 05/09/13		Survey Type: MANUAL
6	DN-03-A-03 DETACHED/SEMI-DETACHED THE GRANGE GLENCAR IRISH LETTERKENNY		DONEGAL
	Edge of Town Residential Zone Total Number of dwellings: 50 Survey date: MONDAY 01/09/14		Survey Type: MANUAL
7	EA-03-A-01 DETACHED TALISKER AVENUE		EAST AYRSHIRE
	KILMARNOCK Edge of Town Residential Zone Total Number of dwellings: 39 Survey date: THURSDAY 05/06/08		Survey Type: MANUAL

LIST OF SITES relevant to selection parameters (Cont.)

8	ES-03-A-02 SOUTH COAST ROAD	PRIVATE HOUSING		EAST SUSSEX
	PEACEHAVEN Edge of Town Residential Zone			
	Total Number of dwellings:	37		
	Survey date: FRIDAY	18/11/11		Survey Type: MANUAL
9	GM-03-A-10 BUTT HILL DRIVE	DETACHED/SEMI		GREATER MANCHESTER
	PRESTWICH MANCHESTER Edge of Town Residential Zone			
	Total Number of dwellings:	29		
	Survey date: WEDNESDAY	12/10/11		Survey Type: MANUAL
10	HI-03-A-13 KINGSMILLS ROAD	HOUSING		HIGHLAND
	INVERNESS Edge of Town Residential Zone			
	Total Number of dwellings:	9		
	Survey date: THURSDAY	21/05/09		Survey Type: MANUAL
11	NF-03-A-03 HALING WAY	DETACHED HOUSES		NORFOLK
	THETFORD Edge of Town Residential Zone			
	Total Number of dwellings:	10		
	Survey date: WEDNESDAY	16/09/15		Survey Type: MANUAL
12	NY-03-A-11 HORSEFAIR	PRIVATE HOUSING		NORTH YORKSHIRE
	BOROUGHBRIDGE Edge of Town Residential Zone			
	Total Number of dwellings:	23		
	Survey date: WEDNESDAY	18/09/13		Survey Type: MANUAL
13	RO-03-A-03 N61 GREATMEADOW BOYLE	DETACHED HOUSES		ROSCOMMON
	Edge of Town No Sub Category			
	Total Number of dwellings:	23		
	Survey date: THURSDAY	25/09/14		Survey Type: MANUAL
14	SF-03-A-05 VALE LANE	DETACHED HOUSES		SUFFOLK
	BURY ST EDMUNDS Edge of Town Residential Zone			
	Total Number of dwellings:	18		
	Survey date: WEDNESDAY	09/09/15		Survey Type: MANUAL

LIST OF SITES relevant to selection parameters (Cont.)

15	SH-03-A-03 SOMERBY DRIVE BICTON HEATH SHREWSBURY Edge of Town No Sub Category	DETACHED		SHROPSHIRE
	Total Number of dwellings:		10	
	Survey date: FRIDAY		26/06/09	Survey Type: MANUAL
16	SH-03-A-05 SANDCROFT SUTTON HILL TELFORD Edge of Town Residential Zone	SEMI -DETACHED/TERRACED		SHROPSHIRE
	Total Number of dwellings:		54	
	Survey date: THURSDAY		24/10/13	Survey Type: MANUAL
17	SH-03-A-06 ELLESMERE ROAD	BUNGALOWS		SHROPSHIRE
	SHREWSBURY Edge of Town Residential Zone			
	Total Number of dwellings:		16	
	Survey date: THURSDAY		22/05/14	Survey Type: MANUAL
18	SM-03-A-01 WEMBDON ROAD NORTHFIELD BRIDGWATER Edge of Town Residential Zone	DETACHED & SEMI		SOMERSET
	Total Number of dwellings:		33	
	Survey date: THURSDAY		24/09/15	Survey Type: MANUAL
19	WK-03-A-02 NARBERTH WAY POTTERS GREEN COVENTRY Edge of Town Residential Zone	BUNGALOWS		WARWICKSHIRE
	Total Number of dwellings:		17	
	Survey date: THURSDAY		17/10/13	Survey Type: MANUAL

This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trip rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL VEHICLES
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.097	19	26	0.247	19	26	0.344
08:00 - 09:00	19	26	0.167	19	26	0.439	19	26	0.606
09:00 - 10:00	19	26	0.193	19	26	0.268	19	26	0.461
10:00 - 11:00	19	26	0.161	19	26	0.147	19	26	0.308
11:00 - 12:00	19	26	0.193	19	26	0.221	19	26	0.414
12:00 - 13:00	19	26	0.227	19	26	0.199	19	26	0.426
13:00 - 14:00	19	26	0.274	19	26	0.233	19	26	0.507
14:00 - 15:00	19	26	0.268	19	26	0.304	19	26	0.572
15:00 - 16:00	19	26	0.300	19	26	0.239	19	26	0.539
16:00 - 17:00	19	26	0.394	19	26	0.231	19	26	0.625
17:00 - 18:00	19	26	0.408	19	26	0.225	19	26	0.633
18:00 - 19:00	19	26	0.314	19	26	0.223	19	26	0.537
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			2.996			2.976			5.972

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED

MULTI-MODAL TAXIS

Calculation factor: 1 DWELLS

BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.008	19	26	0.008	19	26	0.016
08:00 - 09:00	19	26	0.010	19	26	0.006	19	26	0.016
09:00 - 10:00	19	26	0.006	19	26	0.010	19	26	0.016
10:00 - 11:00	19	26	0.002	19	26	0.002	19	26	0.004
11:00 - 12:00	19	26	0.010	19	26	0.010	19	26	0.020
12:00 - 13:00	19	26	0.004	19	26	0.004	19	26	0.008
13:00 - 14:00	19	26	0.002	19	26	0.002	19	26	0.004
14:00 - 15:00	19	26	0.004	19	26	0.004	19	26	0.008
15:00 - 16:00	19	26	0.010	19	26	0.010	19	26	0.020
16:00 - 17:00	19	26	0.014	19	26	0.010	19	26	0.024
17:00 - 18:00	19	26	0.008	19	26	0.006	19	26	0.014
18:00 - 19:00	19	26	0.006	19	26	0.008	19	26	0.014
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.084			0.080			0.164

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected:	7 - 54 (units:)
Survey date date range:	01/01/08 - 12/11/15
Number of weekdays (Monday-Friday):	19
Number of Saturdays:	0
Number of Sundays:	0
Surveys manually removed from selection:	0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL OGVS
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.000	19	26	0.002	19	26	0.002
08:00 - 09:00	19	26	0.002	19	26	0.004	19	26	0.006
09:00 - 10:00	19	26	0.002	19	26	0.002	19	26	0.004
10:00 - 11:00	19	26	0.006	19	26	0.002	19	26	0.008
11:00 - 12:00	19	26	0.000	19	26	0.004	19	26	0.004
12:00 - 13:00	19	26	0.004	19	26	0.002	19	26	0.006
13:00 - 14:00	19	26	0.002	19	26	0.002	19	26	0.004
14:00 - 15:00	19	26	0.004	19	26	0.004	19	26	0.008
15:00 - 16:00	19	26	0.000	19	26	0.000	19	26	0.000
16:00 - 17:00	19	26	0.000	19	26	0.000	19	26	0.000
17:00 - 18:00	19	26	0.002	19	26	0.002	19	26	0.004
18:00 - 19:00	19	26	0.002	19	26	0.000	19	26	0.002
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.024			0.024			0.048

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED

MULTI-MODAL PSVS

Calculation factor: 1 DWELLS

BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.000	19	26	0.000	19	26	0.000
08:00 - 09:00	19	26	0.008	19	26	0.008	19	26	0.016
09:00 - 10:00	19	26	0.002	19	26	0.002	19	26	0.004
10:00 - 11:00	19	26	0.000	19	26	0.000	19	26	0.000
11:00 - 12:00	19	26	0.004	19	26	0.004	19	26	0.008
12:00 - 13:00	19	26	0.000	19	26	0.000	19	26	0.000
13:00 - 14:00	19	26	0.000	19	26	0.000	19	26	0.000
14:00 - 15:00	19	26	0.004	19	26	0.004	19	26	0.008
15:00 - 16:00	19	26	0.002	19	26	0.002	19	26	0.004
16:00 - 17:00	19	26	0.004	19	26	0.004	19	26	0.008
17:00 - 18:00	19	26	0.000	19	26	0.000	19	26	0.000
18:00 - 19:00	19	26	0.000	19	26	0.000	19	26	0.000
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.024			0.024			0.048

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL CYCLISTS
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.002	19	26	0.020	19	26	0.022
08:00 - 09:00	19	26	0.006	19	26	0.020	19	26	0.026
09:00 - 10:00	19	26	0.000	19	26	0.004	19	26	0.004
10:00 - 11:00	19	26	0.002	19	26	0.014	19	26	0.016
11:00 - 12:00	19	26	0.006	19	26	0.006	19	26	0.012
12:00 - 13:00	19	26	0.010	19	26	0.006	19	26	0.016
13:00 - 14:00	19	26	0.006	19	26	0.002	19	26	0.008
14:00 - 15:00	19	26	0.004	19	26	0.002	19	26	0.006
15:00 - 16:00	19	26	0.014	19	26	0.004	19	26	0.018
16:00 - 17:00	19	26	0.006	19	26	0.002	19	26	0.008
17:00 - 18:00	19	26	0.020	19	26	0.004	19	26	0.024
18:00 - 19:00	19	26	0.004	19	26	0.000	19	26	0.004
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.080			0.084			0.164

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL VEHICLE OCCUPANTS
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.099	19	26	0.314	19	26	0.413
08:00 - 09:00	19	26	0.207	19	26	0.704	19	26	0.911
09:00 - 10:00	19	26	0.217	19	26	0.362	19	26	0.579
10:00 - 11:00	19	26	0.199	19	26	0.195	19	26	0.394
11:00 - 12:00	19	26	0.274	19	26	0.288	19	26	0.562
12:00 - 13:00	19	26	0.306	19	26	0.268	19	26	0.574
13:00 - 14:00	19	26	0.366	19	26	0.336	19	26	0.702
14:00 - 15:00	19	26	0.386	19	26	0.390	19	26	0.776
15:00 - 16:00	19	26	0.517	19	26	0.356	19	26	0.873
16:00 - 17:00	19	26	0.577	19	26	0.326	19	26	0.903
17:00 - 18:00	19	26	0.547	19	26	0.302	19	26	0.849
18:00 - 19:00	19	26	0.435	19	26	0.284	19	26	0.719
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			4.130			4.125			8.255

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL PEDESTRIANS
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.018	19	26	0.036	19	26	0.054
08:00 - 09:00	19	26	0.076	19	26	0.213	19	26	0.289
09:00 - 10:00	19	26	0.034	19	26	0.048	19	26	0.082
10:00 - 11:00	19	26	0.036	19	26	0.062	19	26	0.098
11:00 - 12:00	19	26	0.040	19	26	0.042	19	26	0.082
12:00 - 13:00	19	26	0.034	19	26	0.042	19	26	0.076
13:00 - 14:00	19	26	0.048	19	26	0.046	19	26	0.094
14:00 - 15:00	19	26	0.048	19	26	0.042	19	26	0.090
15:00 - 16:00	19	26	0.161	19	26	0.070	19	26	0.231
16:00 - 17:00	19	26	0.091	19	26	0.064	19	26	0.155
17:00 - 18:00	19	26	0.066	19	26	0.030	19	26	0.096
18:00 - 19:00	19	26	0.054	19	26	0.028	19	26	0.082
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.706			0.723			1.429

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL BUS/TRAM PASSENGERS
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.000	19	26	0.010	19	26	0.010
08:00 - 09:00	19	26	0.000	19	26	0.012	19	26	0.012
09:00 - 10:00	19	26	0.000	19	26	0.002	19	26	0.002
10:00 - 11:00	19	26	0.000	19	26	0.004	19	26	0.004
11:00 - 12:00	19	26	0.000	19	26	0.000	19	26	0.000
12:00 - 13:00	19	26	0.004	19	26	0.002	19	26	0.006
13:00 - 14:00	19	26	0.000	19	26	0.000	19	26	0.000
14:00 - 15:00	19	26	0.002	19	26	0.000	19	26	0.002
15:00 - 16:00	19	26	0.010	19	26	0.004	19	26	0.014
16:00 - 17:00	19	26	0.010	19	26	0.002	19	26	0.012
17:00 - 18:00	19	26	0.002	19	26	0.000	19	26	0.002
18:00 - 19:00	19	26	0.002	19	26	0.000	19	26	0.002
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.030			0.036			0.066

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL TOTAL RAIL PASSENGERS
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.000	19	26	0.000	19	26	0.000
08:00 - 09:00	19	26	0.000	19	26	0.002	19	26	0.002
09:00 - 10:00	19	26	0.000	19	26	0.002	19	26	0.002
10:00 - 11:00	19	26	0.000	19	26	0.000	19	26	0.000
11:00 - 12:00	19	26	0.000	19	26	0.000	19	26	0.000
12:00 - 13:00	19	26	0.000	19	26	0.002	19	26	0.002
13:00 - 14:00	19	26	0.000	19	26	0.000	19	26	0.000
14:00 - 15:00	19	26	0.000	19	26	0.000	19	26	0.000
15:00 - 16:00	19	26	0.000	19	26	0.000	19	26	0.000
16:00 - 17:00	19	26	0.000	19	26	0.000	19	26	0.000
17:00 - 18:00	19	26	0.002	19	26	0.000	19	26	0.002
18:00 - 19:00	19	26	0.002	19	26	0.000	19	26	0.002
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.004			0.006			0.010

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL COACH PASSENGERS
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.000	19	26	0.000	19	26	0.000
08:00 - 09:00	19	26	0.000	19	26	0.000	19	26	0.000
09:00 - 10:00	19	26	0.000	19	26	0.000	19	26	0.000
10:00 - 11:00	19	26	0.000	19	26	0.000	19	26	0.000
11:00 - 12:00	19	26	0.000	19	26	0.000	19	26	0.000
12:00 - 13:00	19	26	0.000	19	26	0.000	19	26	0.000
13:00 - 14:00	19	26	0.000	19	26	0.000	19	26	0.000
14:00 - 15:00	19	26	0.000	19	26	0.000	19	26	0.000
15:00 - 16:00	19	26	0.000	19	26	0.000	19	26	0.000
16:00 - 17:00	19	26	0.000	19	26	0.000	19	26	0.000
17:00 - 18:00	19	26	0.000	19	26	0.000	19	26	0.000
18:00 - 19:00	19	26	0.000	19	26	0.000	19	26	0.000
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.000			0.000			0.000

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL PUBLIC TRANSPORT USERS
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.000	19	26	0.010	19	26	0.010
08:00 - 09:00	19	26	0.000	19	26	0.014	19	26	0.014
09:00 - 10:00	19	26	0.000	19	26	0.004	19	26	0.004
10:00 - 11:00	19	26	0.000	19	26	0.004	19	26	0.004
11:00 - 12:00	19	26	0.000	19	26	0.000	19	26	0.000
12:00 - 13:00	19	26	0.004	19	26	0.004	19	26	0.008
13:00 - 14:00	19	26	0.000	19	26	0.000	19	26	0.000
14:00 - 15:00	19	26	0.002	19	26	0.000	19	26	0.002
15:00 - 16:00	19	26	0.010	19	26	0.004	19	26	0.014
16:00 - 17:00	19	26	0.010	19	26	0.002	19	26	0.012
17:00 - 18:00	19	26	0.004	19	26	0.000	19	26	0.004
18:00 - 19:00	19	26	0.004	19	26	0.000	19	26	0.004
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			0.034			0.042			0.076

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: $COUNT/TRP*FACT$. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

TRIP RATE for Land Use 03 - RESIDENTIAL/A - HOUSES PRIVATELY OWNED
 MULTI-MODAL TOTAL PEOPLE
 Calculation factor: 1 DWELLS
 BOLD print indicates peak (busiest) period

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate	No. Days	Ave. DWELLS	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00	19	26	0.119	19	26	0.380	19	26	0.499
08:00 - 09:00	19	26	0.290	19	26	0.952	19	26	1.242
09:00 - 10:00	19	26	0.252	19	26	0.419	19	26	0.671
10:00 - 11:00	19	26	0.237	19	26	0.276	19	26	0.513
11:00 - 12:00	19	26	0.320	19	26	0.336	19	26	0.656
12:00 - 13:00	19	26	0.354	19	26	0.320	19	26	0.674
13:00 - 14:00	19	26	0.421	19	26	0.384	19	26	0.805
14:00 - 15:00	19	26	0.441	19	26	0.435	19	26	0.876
15:00 - 16:00	19	26	0.702	19	26	0.435	19	26	1.137
16:00 - 17:00	19	26	0.684	19	26	0.394	19	26	1.078
17:00 - 18:00	19	26	0.638	19	26	0.336	19	26	0.974
18:00 - 19:00	19	26	0.497	19	26	0.312	19	26	0.809
19:00 - 20:00									
20:00 - 21:00									
21:00 - 22:00									
22:00 - 23:00									
23:00 - 24:00									
Total Rates:			4.955			4.979			9.934

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP*FACT. Trip rates are then rounded to 3 decimal places.

Parameter summary

Trip rate parameter range selected: 7 - 54 (units:)
 Survey date date range: 01/01/08 - 12/11/15
 Number of weekdays (Monday-Friday): 19
 Number of Saturdays: 0
 Number of Sundays: 0
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

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Appendix 3 – Local Plan Working Group Report

New Site/Previously Rejected Site	
Allocation Ref H34	<p>Site Name Land North of Church Lane, Skelton</p> <p>Deleted Site H34: Land north of North Lane, Skelton</p> <p>Total representations: 6 Supports:3 Objections: 3 Comments: 0</p> <p>Support for the removal of the site from Parish Council and the Skelton Village Action Group.</p> <p>Objection from planning agent on behalf of landowner. Landowner objects to the removal of former allocation H34, the suggested housing requirement and the lack of safeguarded land policy and allocations. The site previously passed the Council's site selection criteria and was proposed for allocation in the Preferred Options Draft and the Publication Draft version of the Plan. The PSC gives the reason for removal of the site as access concerns and impact on conservation area. Disagree with the reasons and submit a Transport and Access Statement and a detailed drawing of the proposed access arrangements. Also demonstrate that the widening of Church Lane has been kept to a minimum and would only affect the section of Church Lane which runs the width of the site and away from Skelton conservation area and St Giles Church.</p> <p>Representation also received from further developer objecting to removal of site.</p> <p>Church Lane is a single carriageway with grass verges. In order to accommodate the proposed development, Church Lane would need to be widened and would also be required to provide a footway either side. This widening would need to be carried out from the junction of Church lane with the A19 to a point further East, beyond where the site access for H34 would meet Church Lane.</p> <p>While Church lane is not entirely within the conservation area it is directly adjacent to its boundary and within proximity to St Giles Church (Grade 1 Listed Building). The National Planning Policy</p>

Allocation Ref	Site Name	New Site/Previously Rejected Site
H34	Land North of Church Lane, Skelton	<p>Framework asks that Local Planning authorities identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development which might affect the setting of a heritage asset) as heritage assets are irreplaceable, any harm should require clear and convincing justification.</p> <p>Church Lane is of significance to Skelton Conservation area and St Giles Church as it provides the approach to both and is therefore part of the context and setting of both heritage assets. The Synopsis of what makes Skelton Conservation Area Special (which can be viewed online here: https://www.york.gov.uk/info/20215/conservation_and_listed_buildings/1325/conservation_areas_in_york) notes that although more recent suburban style houses have been introduced along Church Lane “it is lined by trees and hedges, sufficient to maintain the county lane character”.</p> <p>When discussing the main elements of the character and appearance of the village, the way that boundary walls, hedges, grass verges and roadside trees lead naturally from one part of the village to another is also listed as being an important consideration.</p> <p>The necessity to widen Church Lane would remove its country lane character, grass verges and trees, thereby having a potentially negative impact on the heritage assets.</p> <p>The additional traffic which would be generated by a development of this size and could potentially add to congestion on the existing roads of the village and may have a potentially negatively impact on the villages existing character.</p> <p>The submitted documents have been reviewed and it is noted that while the access could technically be widened sufficiently, if this were to include much needed footways and provide pedestrian access to the bus stops on the A19 this would still result in the loss of grass verges at an important entry point to the village and would significantly change the nature of the area in this location. It is considered that suitable access to the site could not be designed without adversely</p>

Allocation Ref	Site Name	New Site/Previously Rejected Site
H34	Land North of Church Lane, Skelton	<p>impacting on the character of this narrow lane which forms part of the Skelton conservation area and the wider setting for St Giles Church.</p> <p>Officers consider that the site should not be included as an allocation in the emerging Local Plan. See map on page 169.</p>
H35	Land at Intake Lane, Dunnington	<p><u>Deleted Site H35: Land at Intake Lane, Dunnington</u></p> <p>Total representations: 17 Supports:14 Objections: 3 Comments: 0</p> <p>Support for the removal of this site including from the Parish Council and members of the public. Development of this site would require access from Intake Lane, which is a narrow lane at this point. Any development on this site will probably precipitate development of the north side of Intake Lane, which would lose the rural character of the existing cluster of 4 houses further along the lane. The lane itself is of particular value to the village as it is used regularly for walking to Hagg Wood and the surrounding countryside as part of Route 66. The site is "landlocked" as requires the purchase of some of the allocated land, development would threaten ancient native hedgerows, the development would seriously affect drainage capacity and cause more flooding, negative impacts on parking widening highways and congestion (Common Rd and Intake Lane).</p> <p>The Landowner/developers object to the proposed deletion of housing allocation H35, to the suggested housing requirement and to the lack of a safeguarded land policy and allocations.. Disagree with the proposed removal of the site in PSC on access grounds. Demonstrate through submission that Barratt and David Wilson Homes have an option to acquire the H31 site. The option requires B&DWH to provide an access through to allow the development of H35. We have</p>

Appendix 4 – Heritage Response from Aecom

Project: **Church Lane, Skelton**

Subject: **Heritage response**

Date: **25th August 2016**

1. INTRODUCTION

- 1.1 AECOM are instructed by Mr P. Proctor to assess the heritage significance and setting of heritage assets that could be affected by the proposed development to widen the western end of Church Lane, Skelton to allow for potential vehicular access to a site located to the north of Church Lane. This response also assesses the impact of the proposed development on the identified significance and setting of those heritage assets and aims to address the concerns raised by York City Council.
- 1.2 The site in question is located to the north of Church Lane and immediately to the east of the A19. It is not located within or abutting the Skelton Conservation Area and the nearest Listed Building is located approximately 195m from the proposed access onto the site.
- 1.3 The site initially formed part of the Preferred Options Local Plan in 2013; however the Preferred Sites Consultation document published in July 2016 now proposes the removal of the site based on transport and access reasons.
- 1.4 Following correspondence from a Development Officer at York City Council on the 5th August 2016, the Council have concerns that the potential changes required to improve access to the site may have a negative impact upon nearby heritage assets. The Development Officer also states that the additional traffic generated by development of the allocation site would also have a negative impact upon the character of the village.

2. SKELTON CONSERVATION AREA

- 2.1 One of the core planning principles of the NPPF that should underpin both plan-making and decision-taking is that planning should *'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'*. Significance is defined as, *'The value of a heritage asset to this and future generations because of its heritage interest. Significance derives not only from a heritage asset's physical presence, but also from its setting'*. Therefore, as part of any proposal, an assessment of the significance of nearby heritage assets should be carried out (NPPF para 128) and the level of detail should be proportionate to the asset's importance and sufficient to understand the potential impact of the proposals on their significance.
- 2.2 Historic England Good Planning Advice 2 (GPA2) also emphasises the importance of having a knowledge and understanding of the significance of heritage assets likely to be affected by the development and that the *'first step for all applicants is to understand the significance of any affected heritage asset and, if relevant the contribution of its setting to its significance'* (para 4).
- 2.3 Setting is important in helping to assess significance and is defined within the NPPF as *'The surroundings in which a heritage asset is experienced.'* (Annex 2). There is a statutory duty to give special regard to the setting of heritage assets within the Planning (Listed Buildings and Conservation Areas) Act 1990 (Section 66 and Section 72). Historic England Good Planning Advice 3 (GPA3) also states that setting does not have a boundary and it is often expressed by

reference to views (para 6). It is not an asset or a designation, rather its importance is in what it contributes to the significance of an asset (GPA3 para 9).

Skelton Conservation Area

- 2.4 The Skelton Conservation Area was designated in 1973. A full Conservation Area Appraisal is yet to be written, however York City Council have prepared a short character statement. This statement describes the general area and identifies the elements within the Conservation Area which contribute to its character and appearance.
- 2.5 The Conservation Area covers the northern part of Skelton village including The Green, Skelton Hall and Skelton Manor which form the historic core. The Conservation Area contains a variety of property styles with the majority surrounding the large green space in the centre. Forming a key feature of this green is the 13th century Church of St Giles (Grade I listed) which lies at the eastern end of Church Lane. The varied building form and materials as well as the village green layout, contributes to the rural character and appearance of the Skelton Conservation Area.
- 2.6 Immediately surrounding the boundary of the Conservation Area is a number of 20th Century housing developments. These areas are predominantly suburban in character and include Church Lane, St. Giles Road, The Dell, Orchard View, The Vale and Moorlands Road. These streets are at odds to the typical village character of the Conservation Area and result in a clear difference between the areas which were included and excluded from the Conservation Area.
- 2.7 The proposed road alterations are located on Church Lane. This road has a country lane appearance with grass verges to either side, hedges and trees. Although many 20th Century properties have been constructed on Church Lane, they have been set back from the road frontage and its general character and appearance has been maintained, with views terminating at the established vegetation surrounding the green
- 2.8 Although only the eastern half of Church Lane is located within the Conservation Area, it is considered that as there are views into the Conservation Area from the western half, therefore this section is considered to form part of its setting. The Development Officer at York City Council advised in their correspondence that although not all of Church Lane is located within the Conservation Area, it provides the approach into the Conservation Area and therefore forms part of its setting.

3. SCHEME APPRAISAL AND CONCLUSION

- 3.1 Paragraphs 132 to 134 of the NPPF introduce the concept that heritage assets can be harmed or lost through alteration, destruction or development within their setting. This harm ranges from less than substantial through to substantial. With regard to designated assets, paragraph 132 states that the more important the asset, the greater the weight should be on its conservation.
- 3.2 To enable development within allocation H34, amendments would be required to the western end of Church Lane. This would involve increasing the width of Church Lane between the proposed access to the development site and the A19 junction (as shown in Figure 1 of the Transport and Access Appraisal, 16 August 2016). The current width of Church Lane varies between 3 metres and 3.75 metres. The grass verges also range between 2 and 3 metres. The Development Officer at York City Council does not consider this to be wide enough to provide access onto the application site.

-
- 3.3 Following the completion of the Transport and Access Appraisal, it has been concluded that traffic would travel between the site access and the A19, rather than eastwards into the village. Therefore, only a small section of Church Lane between the site access and the A19 junction, would need to be widened to 4.8 metres. The proposed alterations would affect approximately 55 metres of Church Lane extending from the A19.
- 3.4 The application site and the section of road affected by the proposed development are not located within the Conservation Area and do not directly affect any Listed Buildings. However, parts of Church Lane are considered to form part of the wider setting of the Skelton Conservation Area as well as the setting of the Grade I listed St Giles Church.
- 3.5 The proposed increase to the width of Church Lane has been kept to a minimum and would only affect the section of Church Lane which runs the width of the proposed development site. The proposed road works would not affect the entire length of Church Lane. By carrying out minimal alterations to a small section of Church Lane, the general appearance of Church Lane remains the same. As the country lane appearance, grass verges, hedges and trees are maintained, the setting of the Skelton Conservation Area and St. Giles Church does not change. Therefore, no harm is caused to the significance of these designated heritage assets through setting.
- 3.6 Contrary to the views of the Development Officer at York City Council, the proposed road widening would not result in loss of the country lane character of Church Lane as the grass verges and trees would be maintained and the majority of traffic would not enter the village, therefore the works would not have a negative impact upon the Conservation Area or Church.

Appendix 5 – A Table of Allocation Densities

Housing Density Table

Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H1	3.54	283	80	3.54	336	95	+19%	2.87	271	94	-1%	2.87	271	94	0
								0.67	65	97	+2%	0.67	65	97	0
H2A	2.33	98	42	Deleted				Deleted				Deleted			
H2B	0.44	18	41	Deleted				Deleted				Deleted			
H3	2.7	25	9	3.9	81	21	+133%	1.9	72	38	+81%	1.9	72	38	0
H4	2.56	157	60	Deleted				Deleted				Deleted			
H5	2.24	72	32	3.64	137	38	+19%	3.64	162	45	+18%	3.64	162	45	0
H6	1.53	49	32	Deleted				1.53	Specialist Housing use class C3b – supported housing			1.53	Specialist Housing use class C3b – supported housing		
H7	1.72	73	42	1.72	86	50	+19%	1.72	86	50	0	1.72	86	50	0
H8	1.57	50	32	1.57	60	38	+19%	1.57	60	38	0	1.57	60	38	0
H9	1.3	42	32	Deleted				Deleted				Deleted			
H10	0.78	187	240	0.96	Deleted	195	-19%	0.96	187	195	0	0.96	187	195	0
H11	0.78	33	42	Deleted				Deleted				Deleted			
H12	0.77	33	43	Deleted				Deleted				Deleted			
H13	1.30	55	42	Deleted				Deleted				Deleted			
H14	0.55	220	400	Deleted				Deleted				Deleted			

Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H15	0.48	27	56	Deleted				Deleted				Deleted			
H16	1.76	57	32	Deleted				Deleted				Deleted			
H17	0.80	37	46	Deleted				Deleted				Deleted			
H18	0.39	13	33	Deleted				Deleted				Deleted			
H19	0.36	16	44	Deleted				Deleted				Deleted			
H20	0.33	15	45	0.33	17	52	+16%	0.33	56	170	+8%	0.33	56	170	0
H21	0.29	11	38	0.29	12	41	+8%	Deleted				Deleted			
H22	0.29	13	45	0.29	15	52	+16%	0.29	15	52	0	0.29	15	52	0
H23	0.25	11	44	Deleted				0.25	11	44	-	0.25	11	44	0
H25	0.22	20	90	Deleted				Deleted				Deleted			
H26	4.05	114	28	Deleted				Deleted				Deleted			
H27	4.00	102	25.5	Deleted				Deleted				Deleted			
H28	3.15	88	28	Deleted				Deleted				Deleted			
H29	2.65	74	28	2.65	88	33	+18%	2.65	88	33	0	2.65	88	33	0
H30	2.53	71	28	Deleted				Deleted				Deleted			
H31	2.51	70	28	2.51	84	34	+21%	2.51	76	30	-12%	2.51	76	30	0
H32	2.22	47	21	Deleted				Deleted				Deleted			

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H33	1.66	46	28	Deleted				Deleted				Deleted			
H34	1.74	49	28	Deleted				Deleted				Deleted			
H35	1.59	44	28	Deleted				Deleted				Deleted			
H37	3.47	34	10	Deleted				Deleted				Deleted			
H38	0.99	28	28	0.99	33	33	+18%	0.99	33	33	0	0.99	33	33	0
H39	0.92	29	32	0.92	32	35	+9%	0.92	32	35	0	0.92	32	35	0
H40	0.82	26	32	Deleted				Deleted				Deleted			
H43	0.25	8	32	0.25	12	48	+50%	Deleted				Deleted			
H46	4.16	118	28	2.74	104	38	+36%	2.74	104	38	0	2.74	104	38	0
H47	1.11	37	33	Deleted				Deleted				Deleted			
H48	0.42	15	36	Deleted				Deleted				Deleted			
H49	3.89	108	30	Deleted				Deleted				Deleted			
H50	2.92	70	24	Deleted				Deleted				Deleted			
H51	0.23	10	43	0.23	12	52	+21%	Deleted				Deleted			
H52	n/a			0.2	10	50	-	0.2	15	75	+50%	0.2	15	75	0
H53	n/a			0.33	11	33	-	0.33	4	12	-64%	0.33	4	12	0
H54	n/a			1.3	46	35	-	Deleted				Deleted			

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H55	n/a			0.2	20	100	-	0.2	20	100	0	0.2	20	100	0
H56	n/a			4	190	48	-	4	70	18	-63%	4	70	18	0
H57	n/a			2.8	93	33	-	<i>Deleted</i>			<i>Deleted</i>				
H58	n/a			n/a				0.7	25	36	-	0.7	25	36	0
H59	n/a			n/a				1.34	45	34	-	1.34	45	34	0
ST1	40.70	1140	28	40.7	1140	28	0	46.3	1,200	26	-7%	46.3	1,200	26	0
ST2	10.43	289	28	10.4	292	28	0	10.4	266	26	-7%	10.4	266	26	0
ST3	7.80	197	25	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST4	7.54	230	30.5	7.54	211	28	-8%	7.54	211	28	0	7.54	211	28	0
ST5	10.55	410	38.9	35	1250	36	-7%	35	845	24	-33%	35	1,700	49	+101%
ST7	113.28	1800	16	34.5	805	23	+44%	34.5	845	24	+4%	34.5	845	24	0
ST8	52.28	1400	27	39.5	875	22	-18%	39.5	968	24	+9%	39.5	968	24	0
ST9	33.48	747	22	35	735	21	-5%	35	735	21	0	35	735	21	0
ST11	13.76	400	29	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST12	20.08	421	21	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST13	5.61	125	22	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST14	157.09	2800	18	55	1348	25	+36%	55	1348	25	0	55	1348	25	0

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
ST15/ST34)	392.58	4680	12	159	3339	21	+75%	159	3339	21	0	159	3339	21	0
ST16	10.23	395	39	2.04	89	44	+156%	2.18	Phase 1: 22	10	+16%	2.18	Phase 1: 22	10	0
ST16	10.23	175	17						Phase 2: 33	15			Phase 2: 33	15	
									Phase 3: 56	26			Phase 3: 56	26	
ST17 (N)	7.16	315	44	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST17 (S)		130	18	6.8	315	46	+5%	2.35	Phase 1: 263	112	+422%	2.35	Phase 1: 263	112	0
							4.7	Phase 2: 600	128	4.7		Phase 2: 600	128		
ST22	34.59	655	19	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST23 (P 2)	21.91	117	5	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST23 (P 3&4)		342	16	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST24	10.32	10	1	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST28	5.09	87	17	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST29	5.75	135	24	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)	Publication Draft [Reg 19] (2018)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
ST30	5.92	165	28	<i>Deleted</i>				<i>Deleted</i>				<i>Deleted</i>			
ST31	n/a			8.1	170	21	-	8.1	158	20	-5%	8.1	158	20	0
ST32	n/a			4.8	305	64	-	2.17	328	151	+136%	2.17	328	151	0
ST33 (H45)	n/a			6	147	25	-	6	147	25	0	6	147	25	0
ST35	n/a			n/a				28.8	578	20	-	28.8	500	17	-14%
ST36	n/a			n/a				18	769	43	-	18	769	43	0

From: Claire Linley [Claire.Linley@dppukltd.com]
Sent: 04 April 2018 16:07
To: localplan@york.gov.uk
Cc: Mark Lane; Jennifer Winyard (Linden Homes) (Jennifer.Winyard@gallifordtry.co.uk); Neil Terrett; Oliver Corbett
Subject: York Local Plan Repls - Site 187 (formerly ST30)
Attachments: ST30 Forms.pdf; ST30 Report and Appendices.pdf

Good afternoon,

Please find attached our representations on behalf of Strata Homes Ltd and Linden Homes Strategic Land in relation to the City of York Local Plan Publication Draft Regulation 19 Consultation. This submission relates to the site known as land north of Stockton Lane - Site 187 (formerly ST30) and additional land to the north and north east.

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



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)		Strata Homes Ltd and Linden Homes Strategic Land
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

Guidance note

Where do I send my completed form?

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

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

What makes a Local Plan "sound"?

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

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

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

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

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

Yes No

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

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

Positively prepared Justified
 Effective Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

ST30

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.

ST30 was previously considered to be a location suitable and appropriate for housing development and that the development of the land would not harm any important planning considerations. The Wider Site will deliver city wide and national benefits and is also considered suitable and appropriate for housing development. We consider that the deallocation of ST30 and the lack of proper housing provision as well as sporting facilities is unsound and as such the Local Plan has not been properly prepared, it is not justified and will not be effective in delivering sustainable development in accordance with national policy.

See attached report for full comments.

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



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

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

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

To address the above ST30 and the Wider Site should be allocated for housing development and the provision of sports facilities.

See attached report for full comments.

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

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

Yes, I wish to appear at the examination

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

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

To elaborate on our written representations.

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

Part C - How we will use your Personal Information

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

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

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

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

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.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

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.³

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 or on [01904 554145](tel:01904554145)

Signature



Date

04.04.18

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

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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		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Strata Homes Ltd and Linden Homes Strategic Land
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

Guidance note

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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

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

What makes a Local Plan "sound"?

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

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

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

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

Yes No

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

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

Positively prepared Justified
 Effective Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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

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

We consider that Policy H2 and the associated assumed yields applied to various allocations are unsound and not justified and will not ensure effective delivery of the housing requirement and is therefore inconsistent with national policy.

See attached report for full comments.

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



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

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

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

We suggest that that net development density is reduced and that greater flexibility is included in the policy to allow for balanced developments to be created.

See attached report for full comments.

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

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

Yes, I wish to appear at the examination

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

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

To elaborate on our written response.

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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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Signature



Date

04.04.18

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

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Last Name		Linley
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Address – line 2		1 City Square
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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?

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

Yes

No

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

Yes

No

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

See 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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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.

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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.

We consider that Policy H3 is unsound as it will not be effective, it is not justified, and is not consistent with national policy.

See attached report for full comments.

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We suggest the policy should be modified to provide greater flexibility to allow for balanced developments to be created. In this regard we would suggest amending the policy to read *“Proposals for residential development should assist in balancing the housing market, unless material considerations indicate otherwise, by including a mix of types of housing that respond to and reflects the diverse mix of need across the city and the character of the locality.”*

See attached report for full comments.

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

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

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Paragraph
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Policy HW3 and its evidence base understands that there are deficiencies in the provision of sporting facilities in the District, particularly in relation to hockey, and that in exceptional case the policy recognises that it may be appropriate to develop existing sports facilities to allow for an overall net gain. Therefore, it is considered that in this regard the Local Plan is sound and the plan has been positively prepared, it is justified and will be effective and is consistent with national policy.

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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.

No modification required.

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City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 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		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Strata Homes Ltd and Linden Homes Strategic Land
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

Guidance note

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Part B - Your Representation

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



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

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

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

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

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

Yes No

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

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

Positively prepared Justified
 Effective Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

Lack of Safeguarded Land Allocation

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

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

We consider that the lack of a safeguarded land policy and the lack of identified safeguarded land sites to be unsound and unjustified and as such the Local Plan will not be effective. We consider that the lack of a safeguarded land policy and safeguarded sites is contrary to national policy.

See attached report for full comments.

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



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

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

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The inclusion of ST30 and the Wider Site as a safeguarded land site as an alternative to a housing allocation.

See attached report for full comments.

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

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

Yes, I wish to appear at the examination

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To elaborate on our written representations.

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Last Name		Linley
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Representing (if applicable)		Strata Homes Ltd and Linden Homes Strategic Land
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(Please use a separate Part B form for **each** issue to you want to raise)



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

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

Yes

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

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What does 'Sound' mean?

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Paragraph
no.

Policy
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We consider that the lack of a safeguarded land policy and the lack of identified safeguarded land sites to be unsound and unjustified and as such the Local Plan will not be effective. We consider that the lack of a safeguarded land policy and safeguarded site to contrary to national policy.

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The inclusion of a safeguarded land policy and an appropriate quantum of safeguarded land sites.

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Paragraph no.

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Site Ref.

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

In these circumstances, the Local Plan is not 'sound' as required by the Framework, as the Council have not properly assessed the OAHN or set out a justified and effective housing requirement nor have the Council demonstrated an adequate supply of land as required by national guidance.

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The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a 'sound' plan and enable the much-needed investment in new housing to meet the community's needs.

See attached report for full comments.

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

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

Yes, I wish to appear at the examination

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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)		Strata Homes Ltd and Linden Homes Strategic Land
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

Guidance note

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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

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Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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

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

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

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

Yes No

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

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

Positively prepared Justified
 Effective Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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

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

The Local Plan does not provide sufficient housing land to meet needs of the housing market area and those sites allocated will not deliver the units identified and as ST30 and the Wider Site do not perform a Green Belt purpose they should not be included in the Green Belt. On the basis of the above we consider that the Local Plan is unsound, it is not justified and will not be effective and therefore does not deliver sustainable development in accordance with national policy.

See attached report for full comments.

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



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

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Site ST30 and the Wider Site should be removed from the Green Belt.

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Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Strata Homes Ltd and Linden Homes Strategic Land
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
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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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What does 'legally compliant' mean?

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Yes

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No

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

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Paragraph no.

Policy Ref.

Site Ref.

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.

We consider the allocation of ST5 to be unsound in that ST5 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

See attached report for full comments.

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We do not suggest that allocation known as ST5 should be deleted but rather that an aspirational but achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST5 should be 410 units as set out in the Publication Draft (2014). This level of development is more realistic and achievable.

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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.

ST14

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

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

We do not object to the principle of the allocation but we do consider that the estimated yield from ST14 to be overly ambitious so as to call into question the ability of the Local Plan to deliver houses to meet the housing requirement. As such we consider that the yield assumed for ST14 to be unsound in that ST14 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

See attached report for full comments.

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



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

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

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

We do not suggest that allocation known as ST14 should be deleted but rather that an aspirational but achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST14 should be reduced to 900 units. We consider that this number of units is more realistic and achievable.

See attached report for full comments.

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

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

Yes, I wish to appear at the examination

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

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To elaborate on our written response.

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Part C - How we will use your Personal Information

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Retention of Information

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Your rights

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Signature



Date

04.04.18

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

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

OFFICE USE ONLY:

ID reference:

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

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

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

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

Part A - Personal Details

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

1. Personal Details		2. Agent's Details (if applicable)
Title		Mrs
First Name		Claire
Last Name		Linley
Organisation (where relevant)		DPP
Representing (if applicable)		Strata Homes Ltd and Linden Homes Strategic Land
Address – line 1		Second Floor
Address – line 2		1 City Square
Address – line 3		Leeds
Postcode		LS1 2ES
E-mail Address		Claire.linley@dppukltd.com
Telephone Number		01133509865

Guidance note

Where do I send my completed form?

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

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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

Yes

No

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

Yes

No

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

See attached report for full comments.

What does 'Sound' mean?

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Positively prepared Justified
 Effective Consistent with national policy

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(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.

We do not object to the principle of the allocation but we do consider the estimated yield from ST15 to be unrealistic and to call into question the ability of the Local Plan to deliver houses to meet the housing requirement. As such we consider that the yield assumed for ST15 to be unsound in that ST15 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

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We do not suggest that allocation known as ST15 should be deleted but rather that an aspirational but achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST15 should be reduced to 900 units. We consider that this number of units is more realistic and achievable.

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Signature

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² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012



RESPONSE TO YORK LOCAL PLAN PUBLICATION DRAFT

**STRATA HOMES LTD AND LINDEN
HOMES STRATEGIC LAND**

**SITE 187 (FORMERLY ST30) AND THE
WIDER SITE - LAND NORTH OF
STOCKTON LANE**

RESPONSE TO YORK LOCAL PLAN PUBLICATION DRAFT

On behalf of: Strata Homes Ltd and Linden Homes Strategic Land

**In respect of: Site 187 (formerly ST30) and The Wider Site - Land
North of Stockton Lane**

Date: April 2018

Reference: CL/ML/2410le/R003cl

Author: Claire Linley

**DPP Planning
Second Floor
1 City Square
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LS1 2ES**

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E-mail info@dppukltd.com**

www.dppukltd.com

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- Appendix 3 - Letter from the Hockey Club
- Appendix 4 - Hockey Club Feasibility Report 'The Club's Future'
- Appendix 5 - Technical Officers Assessment of ST30
- Appendix 6 - Sustainability Table
- Appendix 7 - Lichfields' Technical Report on Housing Issues
- Appendix 8 - A Table of Allocation Densities

Executive Summary

The Developers **object** to the proposed deletion of the housing allocation previously known as ST30.

The Council's position is clear, due to revisions to the evidence base, certain previously proposed allocations have been modified or deleted. This does not mean that these sites or parts of them are unsuitable or inappropriate for development. Rather it simply means that the Council now consider these sites or parts of them are less preferable than those allocated in the current version of the Local Plan. The sites or parts of those sites therefore remain acceptable in principle.

ST30 was assessed as part of the Council's rigorous site selection methodology and as a result of passing this site selection process ST30 was proposed as a housing allocation. In this regard, the Council must have satisfied themselves that ST30 is available and is suitable for development and the development is achievable at the point in time when ST30 is intended to deliver development.

The Council must also accept that ST30 serves no or a limited Green Belt purpose.

Rather than simply saying the Council are proposing to remove ST30 because of the alleged reduction in the need for housing land the Council give technical or planning reasons. In the case of ST30 the Council now raise Green Belt concerns and indicate that the northern boundary is not contained. We disagree with this reasoning and we have shown that the reasoning is flawed.

Following the completion of the Pre-Publication Draft Consultation Strata Homes have obtained an interest in additional land to the north and north east of ST30. The sports clubs that currently use the majority of this land are keen to expand and improve their clubs and to do this they have joined with the Developers to promote the residential development of this land together with the creation of new sports facilities ("the Wider Site"). This representation therefore also seeks the residential/leisure allocation of the Wider Site and **objects** to the current Green Belt designation of this land.

In relation to the above we have shown that the Wider Site lies outside Monk Stray but within a green wedge. We have shown that a large proportion of the Wider Site is given over to open land uses and therefore the essential characteristic of the green wedge will be retained. In any event the green wedge at this location is wide and the loss of a small amount of the green wedge to housing to enable the provision of a significant city wide and national sporting facility outweighs any limited harm to the green wedge.

The Developers have shown that there is a need for a new site for the City of York Hockey Club and the benefits that this would bring are widely recognised. We have shown that the Council support the aims of the City of York Hockey Club in this regard. To achieve the benefits identified we have shown that it will be essential to release the existing hockey club land at Elmpark Way for housing in order to fund the development proposals.

The City of York Hockey Club's preference is for the creation of a new multi-sport facility as near as possible to Elmpark Way. The development of ST30 and the Wider Site provide the opportunity to create a *hockey centre of excellence* in York providing for all of the sporting needs of the City and the north of England in one accessible location which can be delivered in a comprehensive manner by the proposed development.

The Developers **support** the policy of the Local Plan which allows for the replacement of existing supporting facilities.

The Developers **object** to the suggested housing requirement. In this regard it has been shown that the housing requirement is deficient and underestimates the level of need and does not reflect market signals. It is noted that in this matter the Council have ignored their own independent advice. We have also shown that this situation is exacerbated by the Council's assessment of housing supply particularly their over estimation of the delivery from certain sites, particularly ST5, ST14 and ST15. The Developers therefore **object** to the assumed yield from ST5, ST14 and ST15. The Developers also **object** to the general and assumed densities. Consequently, we have shown that there is a need to allocate additional land for housing development.

The Developers **object** to a lack of a safeguarded land policy and the lack of a safeguarded land allocation in the alternative to a housing allocation.

1.0 Introduction

- 1.1 We are submitting this representation on behalf of our clients, Strata Homes Ltd and Linden Homes Strategic Land (“the Developers”), in respect of various issues contained in the City of York Local Plan Publication Draft Regulation 19 Consultation (“the Local Plan”) and in particular their interests in relation to land north of Stockton Lane - Site 187 (formerly ST30) (“the Site”) and additional land to the north and north east (“the Wider Site”).
- 1.2 The Developers have options/agreements on the Site and the Wider Site and are keen to pursue the residential development of the land. The land that is in the control of the Developers is shown on the plan attached at **Appendix 1**.
- 1.3 City of York Council (“the Council”) published the Local Plan for public consultation in February 2018 together with its associated evidence base. The Local Plan proposes to delete the allocation known as Site 187 (formerly ST30). The Developers **object** to the proposed deletion of Site 187 (formerly ST30) and the proposed designation of the land as Green Belt.
- 1.4 Following the completion of the Pre-Publication Draft Consultation Strata Homes have obtained an interest in additional land to the north and north east of ST30. The sports clubs that currently use the majority of this land are keen to expand and improve their clubs and to do this they have joined with the Developers to promote the residential development of this land together with the creation of new sports facilities (“the Wider Site”). This representation therefore also seeks the residential/leisure allocation of the Wider Site and **objects** to the current Green Belt designation of this land.
- 1.5 On behalf of the Developers we have now had the opportunity to read the document and its associated evidence base and we have made a number of comments.

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 Background

- 3.1 The Council consulted on the Preferred Options draft (June 2013) and its supporting evidence base in summer 2013. ST30 was identified in the Preferred Options version of the local plan to be within the Green Belt. Following consultation on the Preferred Options draft the Council held a Further Sites Consultation (June 2014) wherein ST30 was proposed as a strategic housing allocation. This housing allocation was carried through to the Publication Draft (September 2014) which was later halted. The Council then released a Preferred Sites Consultation (July 2016). As a result of the alleged decrease in the objective assessment of housing need and the housing requirement the Council proposed to delete the housing allocation known as ST30 and to include the land within the Green Belt. Objections were lodge to the Preferred Sites Consultation as well as the Pre-Publication Draft in respect of the proposed deletion of ST30. However, these representations were dismissed by the Council.
- 3.2 Since the Pre-Publication Draft was published Strata Homes have obtained an interest in ST30 and have been negotiating with the City of York Hockey Club and Heworth Cricket Club who own land adjoining ST30 to the north and are keen to expand and improve their clubs through the residential development of the land and the creation of new facilities nearby.
- 3.3 Both clubs seek to relocate only a short distance away from their existing sites and fully intend to remain at the heart of their local communities. Indeed, the proposed development will help both clubs grow and expand their community roles as new purpose-built facilities will be provided and in the case of York Hockey Club these will be state of the art facilities as befitting a centre of excellence.

4.0 The Site

ST30

- 4.1 ST30 is relatively flat and is bounded to the south by Stockton Lane beyond which is the urban area of York. To the west ST30 is bounded by the rear gardens of the existing residential properties which front onto Greenfield Park Drive, Green Sward and Green Meadow beyond which is further urban development. To the north ST30 is bounded by a partial hedgerow. Further to the north there are extensive sports facilities associated with the City of York Hockey Club, Heworth Cricket Club and Heworth Rugby Club. Beyond this there is a Monk Stray and across the Stray is the Monks Cross Park and Ride and Monks Cross shopping centre. To the east ST30 is bounded by a hedgerow and a road known as Pasture Lane. Pasture Lane serves a cluster of residential properties and a large farm complex as well as a commercial enterprise. Beyond these residential properties is a mature hedgerow with numerous hedgerow trees within it.
- 4.2 The Site is divided into several rectangular fields, the boundaries of which are formed by hedgerows with gaps in them. Within the hedgerows there are a number of mature trees.
- 4.3 The Site is shown on the next page edged in blue.

The Wider Site

- 4.4 The Wider Site contains the City of York Hockey Club and Heworth Cricket Club. The City of York Hockey Club and Heworth Cricket Club have two pitches split either side of an access road and a club house and car park. To the east of the sports clubs and to the south of the Monk Stray there are several rectangular fields separated by mature hedgerows and hedgerow trees.
- 4.5 The Wider Site is shown on the next page edged in red.



5.0 The Proposed Development

- 5.1 A masterplan has been produced to illustrate how ST30 and the Wider Site could be developed. The masterplan is attached at **Appendix 2**.
- 5.2 The proposed masterplan would see the majority of ST30 and the western part of the Wider Site developed for housing. ST30 is 5.92 ha in size and has an estimated yield of 165 dwellings and the Wider Site, on which housing development is proposed, is 10.9 ha in size with an estimated yield of 260 dwellings.
- 5.3 The Developers propose to retain Heworth Rugby Club but to relocate the City of York Hockey Club and Heworth Cricket Club. The City of York Hockey Club and Heworth Cricket Club currently occupy a plot of land to the north of ST30. Both clubs share the same grounds with Heworth Cricket Club having a long-term lease.
- 5.4 The hockey club has expanded beyond its current premises and is looking to expand to larger premises, and set up a new '*centre of excellence*' which will provide advanced hockey training and development and become one of only a few national hockey centres in the UK.
- 5.5 It is proposed to provide 11 ha of open space and sporting facilities on the Wider Site providing two separate and dedicated cricket pitches and a new purpose-built pavilion. At the *hockey centre of excellence* two full sized water based hockey pitches (essential for elite hockey) and an area for a further hockey pitch and a warm up area for the hockey teams together with a larger multifunctional clubhouse will be provided. It is the aspiration of the hockey club to also provide an indoor hockey pitch. The *hockey centre of excellence* will be provided with its own car park which will be sufficient in size to accommodate coaches.
- 5.6 In addition to the above it is proposed to create a large area of children's play space and a junior football pitch.
- 5.7 Access is to be provided from four locations, with three accesses onto Stockton Lane, and a third access from Elmpark Way. Three access points will serve the housing proposals and the rugby club and the relocated cricket club. A further access point is proposed from Stockton Lane to serve the relocated hockey club. The creation of multiple access points allows the Site and the Wider Site to be developed by a number of house builders. York Hockey Club is a significant generator of traffic and the use of the new accessway, which lies to the eastern side of the urban area, will mean cars and coaches will not have to travel through tight residential areas.
- 5.8 The proposed development also ensures that the Monk Stray is retained to the north of the Wider Site.

York Hockey Club

- 5.9 The City of York Hockey Club is one of the most significant providers of competitive hockey in the north of England, as well as offering opportunities for friendly, social and fun matches through the year.
- 5.10 York Hockey Club has 10 men's teams, 7 ladies' teams and a mixed team all playing a combination of league, cup and friendly matches. In addition, there are 19 youth teams who take part in county, district and regional league competitions.
- 5.11 The total number of members is around 650. In addition to the above there are as many as 300 younger children registered with the club.
- 5.12 The club is based at Elmpark Way however there are no artificial pitches at Elmpark Way and as such no hockey can be played here. As a consequence, hockey has had to be played at five-different sand-based synthetic astro-turf pitches elsewhere in the City, primarily at Huntington School and The University of York.
- 5.13 Built in 1982, the clubhouse is dated and the changing rooms are now only used by the cricket club.
- 5.14 The Hockey Club note within their letter (attached at **Appendix 3**) that there are significant limitations to their existing grounds and give the following reasons for the requirement for new and improved facilities: -
- The land at Elmpark Way is leased to Heworth Cricket Club for another 63 years and it is not possible to build all weather pitches on the existing grounds;
 - Prior to the creation of artificial pitches for hockey, York Hockey Club had the facilities required to operate in the top hockey leagues, and included England players as members of the club. The lack of modern playing facilities has adversely affected the clubs standing;
 - The lack of land available to modernise York Hockey Club has resulted in the club matches and training being split across a number of widely spread sites with inadequate facilities, which does not allow for the club and its members to reach their full potential in the top national leagues;
 - There is no water-based hockey pitch in York, which is required at elite level;
 - York as a City is nearing capacity with pitch availability. St John's University are transporting their teams to Harrogate to play their Wednesday BUCS games and on one Saturday last season, York could not accommodate all home games for the club;
 - Coaching is hindered physically using various pitches around the city, especially at junior levels where it might not physically be possible for parents to take their different children to the different training sessions on different pitches;
 - Indoor hockey is a fast, highly skilled and popular sport yet York does not have an indoor space large enough to hold an indoor hockey pitch;
 - Indoor training cannot occur;

- England Hockey have expressed a strong interest in York becoming the centre of excellence for hockey in the north should the facility be built, bringing people from all over the country to York for top level hockey coaching and high profile national and international matches;
 - Hockey is regarded as a social sport, bringing together people of a variety of levels and backgrounds with a mutual love of the sport. The social and associated practical side to the club is greatly hampered with the clubhouse being a 10-30 min drive from the various pitches used. Many players and away teams do not return for post-match teas, and as a result, some members leave due to the relatively weak social side to the club;
 - As hockey is a winter sport, and some parents are put off bringing their children to training when the weather is cold or wet. In providing an adjacent clubhouse, parents would have a warm place to wait, which is a factor in whether to encourage a child into sport; and
 - A number of all-weather pitches in the City are being converted to 3G surfaces that footballers prefer to play on but which cannot be used to play hockey on and therefore further limiting the supply of suitable pitches.
- 5.15 The need for a new site for the City of York Hockey Club and the benefits that this would bring are widely recognised. As such the Council and the City of York Hockey Club jointly commissioned an independent feasibility study. The final version of this report was published in March 2018. The feasibility study 'The Club's Future' (March 2018) is attached at **Appendix 4**.
- 5.16 A number of options were considered for expansion of the Club within this report, one of which involved improvements at the existing site. It was concluded that the improvements possible at the existing site would not be feasible.
- 5.17 Two options were recommended by the report. The first related to the improvement of facilities at one of the sites currently being used by the City of York Hockey Club and the other related to the development of a new multisport facility away from Elmpark Way. In respect of both options the report recommended the release of the Elmpark Way for housing in order to fund the development proposals.
- 5.18 Both options are being explored but the City of York Hockey Club preference is for the creation of a new multi-sport facility as near as possible to Elmpark Way.
- 5.19 To embrace the increasing popularity of this sport, particularly following the success of the Team GB ladies' hockey team following gold at the Rio Olympics, and to drive the need for easily accessible sports for all ages and communities it is clear that there is a need for a joined-up approach to the provision of hockey facilities in York and the north of England.
- 5.20 The development of ST30 and the Wider Site provide the opportunity to create a *hockey centre of excellence* in York providing for all of the sporting needs of the City and the north of England in one accessible location which can be delivered in a comprehensive manner by the proposed development.

Heworth Cricket Club

- 5.21 Heworth Cricket Club is a family orientated cricket club located on the east side of York, with four senior teams and a thriving junior section (U9 to U15 age-groups).
- 5.22 Heworth Cricket Club is one of the oldest cricket clubs in the country, having been founded in 1784.
- 5.23 However, Heworth Cricket Club shares its club house and grounds with the City of York Hockey Club who own the land which limits their ability to invest in the club and the grounds.
- 5.24 The provision of dedicated facilities which are owned by Heworth Cricket Club would therefore hugely beneficial.

Suitability of ST30

- 5.25 The Developers have obtained a thorough knowledge of the technical issues relating to the development of ST30 through commissioning a number reports and surveys. These include: -
- Transport Statement;
 - Landscape Appraisal;
 - Heritage Impact Assessment;
 - Delivery Statement.
- 5.26 Through the production of the above reports and surveys the Developers have previously shown that ST30 is available and suitable for residential development and that development can be achieved.
- 5.27 ST30 was assessed as part of the Council's rigorous site selection methodology and as a result of passing this site selection process. ST30 was therefore proposed as a housing allocation in the Publication Draft version of the local plan. ST30 was considered by the Council to be available and suitable for residential development and it was considered that residential development was achievable.

The Suitability of the Wider Site

- 5.28 Work is ongoing on the preparation of reports and surveys to demonstrate that the Wider Site and in particular the *hockey centre of excellence* is available and suitable for development and that development can be achieved. However, it is noted that: -
- The Wider Site is in the control of two house builders – it is available for development.
 - The Site is flat and in agricultural use. It is not contaminated.
 - The Wider Site is largely open in nature and any impact on ecology can be mitigated. Given the size of the Wider Site there is ample scope of ecological enhancement measures;

- Access can be achieved through the adjoining residential area and from Stockton Lane;
- The Wider Site will drain in the same manner as ST30;
- The proposed development of the Wider Site is largely open in character and will not impact upon the Monk Stray. Housing development will be limited to the rounding/extension to the Elmpark Way estate/ST30. It is suitable for development.
- The sport facilities, given their proximity to the existing pitches, will remain at the heart of the local community; and
- It is viable to develop the Wider Site and provide the enhanced sporting provision. The proposed development of the Wider Site is achievable.

5.29 The Developers will show that the Wider Site is available and suitable for development and that development can be achieved.

Soundness

5.30 ST30 was previously considered to be a location suitable and appropriate for housing development and that the development of the land would not harm any important planning considerations. The Wider Site will deliver city wide and national benefits and is also considered suitable and appropriate for housing development. We consider that the deallocation of ST30 and the lack of proper housing provision as well as sporting facilities is unsound and as such the Local Plan has not been properly prepared, it is not justified and will not be effective in delivering sustainable development in accordance with national policy.

Modification

5.31 To address the above ST30 and the Wider Site should be allocated for housing development and the provision of sports facilities.

6.0 Support to Policy HW3

Introduction

- 6.1 A significant amount of support can be found for the development and extension of existing sports facilities across York, with specific references to the City of York Hockey Club and Heworth Cricket Club, in the evidence base to the Local Plan and the Local Plan itself.

Background

Built Sports Facilities Strategy 2013

- 6.2 The Built Sports Facilities Strategy 2013 (“the Strategy”) aims to support the development of the local plan, to guide planning decisions and consider the provision of sporting facilities including artificial pitches and specialist outdoor and indoor facilities.
- 6.3 The Strategy was written following consultation with local sports clubs and includes input from the City of York Hockey Club. It reflects the concerns currently held by the club, including the lack of a home base aside from the clubhouse, which has no match or training facilities on site; the problems with social interaction outside of matches and problems with player retention, and high facility hire costs a result of not having dedicated artificial pitches.
- 6.4 The Strategy states that *“City planners, sports partners and England Hockey should work with City of York Hockey Club to identify opportunities to develop a dedicated hockey match and training venue that doesn’t have a negative impact on the other existing facilities...Where possible this should be delivered in partnership with an existing facility provider, on the same site as an existing sand based pitch. This is to ensure that there is continued use of existing facilities”*.
- 6.5 It is clear that the proposed development would help to satisfy the aims of the Strategy, by replacing an existing and unfit for purpose clubhouse with a state of the art multi-use facility. The Hockey Club would also have a permanent base from which to operate and host matches on their own pitches, removing the need to rent expensive facilities across the city and ensuring the clubs future and expansion.

York Open Space Study 2014

- 6.6 The York Open Space Study 2014 (“the Study”) identifies the existing provision of open space and more specifically sporting facilities across the city.
- 6.7 The Study states that generally *“the city has a slight overall shortfall of open space, sport and recreation provision in quantitative terms and there are particular quantitative shortfalls relating to provision for ... outdoor sports facilities”*.

6.8 It also goes on to state that *“there is high demand for outdoor sports facilities across York and the existing facilities are perceived to be of varying quality. An increase in the level of provision will be required over the LDF period to 2029 to facilitate higher levels of participation in sports.*

- *ensure all outdoor sports facilities are fit for purpose through a structured improvement programme*
- *identify opportunities to formalise community use agreements at school sites where there is an expressed demand for further sporting provision*
- *maximise the quality of public transport links, cycle routes and public footpaths to facilitate access to sports facilities*
- *monitor the demand for sports facilities on an ongoing basis and address these issues where possible*
- *consider undertaking detailed sport specific evaluations of demand in order to inform decisions regarding the most appropriate type of facility.”*

6.9 Finally, the Study states that *“Good quality pitch provision will be essential in implementing the plan. The apparent national and regional ‘bottom up’ approach to sports development requires a general improvement in grass roots and community facilities. It helps young people to succeed in life and develop close links between schools and sports clubs, creating a better and more positive local community.”*

6.10 The statement above addresses some of the key concerns of the City of York Hockey Club relating to their existing premises, namely the poor social interaction resulting from the lack of on-site artificial pitches and distances between these pitches and the clubhouse, and the resulting loss of not only higher-level players, but players of all levels, due to poor social interaction and the lack of suitable onsite pitches.

6.11 The Study clearly identifies that the existing facilities in the city have scope for expansion and new or larger facilities are necessary to address the shortfall in provision.

Publication Draft (February 2018)

6.12 The Publication Draft (February 2018) itself addresses the findings of the Open Space Study and proposes a number of policies intended to address the shortfalls and support adequate sports provision.

6.13 **Policy HW3 – Built Sports Facilities** seeks to ensure that existing built sports facilities are retained and maintained, and that new developments should ensure the retention, extension, or off-site provision of built sports facilities.

6.14 The Policy states *“The Council will support development that enables residents to enjoy and make use of built sports facilities”, and “The loss of built sports facilities...will only be permitted in exceptional circumstances where:*

- *It would be replaced by a facility of equivalent or better quality and capacity, in a location that still serves the same community which is accessible by public transport, foot and bicycle that has adequate management arrangements”.*

6.15 It goes on to state that “Development for new or expanded built sports facilities will be supported where a deficiency in current provision has been identified, and when it is well located, accessible to all, and when suitable infrastructure exists or can be created to manage and maintain the facility. Development of new sports facilities should be collocated with other health and community facilities and schools, where possible, to encourage participation in exercise. Any future demand should, in the first instance, be met through extensions and expansion of existing high-quality sustainable sites”.

6.16 The City of York Hockey Club grounds at Elmpark Way are not capable of being upgraded and there is a clear deficiency in the existing provision at Elmpark Way and elsewhere in the City. Further, the City of York Hockey Club have looked to extend and expand existing sustainable sites elsewhere in the City but the club have not been able to find any viable sites and in any event, they wish to remain at the heart of the community in Heworth and do not want to relocate to another part of the City.

6.17 Linden Homes Strategic Land and Strata Homes recognise that existing sports facilities should only be lost in exceptional circumstances but in this case the facilities to be lost will be replaced by facilities of significantly better quality and capacity, in a location that still serves the same community which is accessible by public transport, foot and bicycle that has adequate management arrangements. Linden Homes Strategic land and Strata Homes believe that exceptional circumstances exist.

6.18 The proposed development ensures the provision of new and more numerous playing pitches than currently operate at the existing site, and in a way which clearly reflects understanding of the issues affecting community sport; in this instance, the lack of pitches limiting any expansion of the City of York Hockey Club to support higher level play and social interaction.

6.19 The City of York Hockey Club therefore fully support the initiative of Linden Homes Strategic land and Strata Homes.

6.20 Policy HW3 would support loss of sports provision in exceptional cases. We contend that there are such circumstances and as such the Developers support this policy.

Conclusion

6.21 There is clear and material supporting evidence and policy context to support the extension and growth of the City of York Hockey Club and the Heworth Cricket Club, and that the allocation of ST30 and the Wider Site would help to bring forward a suitable proposal which fulfils the aims of the Built Sports Facilities Strategy 2013, the York Open Space Study 2014 and the policies within the Local Plan itself.

Soundness

- 6.22 Policy HW3 and its evidence base understands that there are deficiencies in the provision of sporting facilities in the District, particularly in relation to hockey, and that in exceptional case the policy recognises that it may be appropriate to develop existing sports facilities to allow for an overall net gain. Therefore, it is considered that in this regard the Local Plan is sound and the plan has been positively prepared, it is justified and will be effective and is consistent with national policy.

Modification

- 6.23 No modification required.

7.0 Objection to the Deletion of ST30

Preferred Options (June 2013)

- 7.1 The Council consulted on the Preferred Options draft and its supporting evidence base in summer 2013. The Preferred Options draft set out the spatial strategy for the City which included identifying land for housing and employment growth.
- 7.2 Within this document ST30 is shown to lie within the proposed Green Belt.

Further Sites Consultation (June 2014)

- 7.3 Following consultation on the Preferred Options the Council held a Further Sites Consultation (June 2014). This contained the results of the testing of the suggested modifications and new sites received as part of the previous Preferred Options consultation.
- 7.4 Within the summary of the Technical Officer Assessment it is noted that ST30 lies opposite the built up eastern extent of Heworth and Pasture Lane clearly defines the eastern edge. The summary goes onto say:

“The site contains a number of hedges marking a small field pattern, supplemented with a number of small ponds. The site would lessen the distance between Heworth and Malton Road, possibly impacting on the setting of the city. Development would come level with Greenfield Park Drive, which are visible from Malton Road. It is felt that the site is potentially suitable for development subject to a detailed landscape and visual appraisal and amendments to the site layout to ensure the development is further set back from the road frontage.”

- 7.5 The document recommended that ST30 be considered for residential development within the local plan. The Technical Officer Assessment is attached at **Appendix 5**.

Publication Draft (September 2014)

- 7.6 The Publication Draft version of the plan was taken to a Local Plan Working Group on the Monday 22nd September which was followed by a Cabinet meeting on Thursday 25th September and the Publication Draft was presented to Scrutiny Panel on Wednesday 8th October 2014. At of the above stages the Publication Draft was approved by members of the Council. However, following a Full Council meeting on 9th October progress on this plan was halted.
- 7.7 Within the Publication Draft the Council identified ST30 as a strategic housing allocation. The Publication Draft indicated that ST30 covered an area of 5.92ha and had an estimated dwelling yield of 165 units. The Council indicated that ST30 was deliverable in the short to medium term (years 1-10).

7.8 The proposed allocation contained within the Publication Draft version of the plan is shown below.

Site ref: 187	Site Name:
Allocation Ref: N/a	Land to the North of Stockton lane
Site size:	5.9 ha
Recommendation:	To include the site as a strategic site for residential development within the Local Plan

The Preferred Sites Consultation (July 2016)

7.9 Since 2014, the Council has been updating its evidence base in line with the agreed motion. This has included taking further papers to Members of the Local Plan Working Group in September 2015 in relation to the overall housing and employment requirements for York.

7.10 York then released a Preferred Sites Consultation in July 2016 and supporting evidence as approved by their Executive Members. This was consulted on between 18th July and 12th September 2016.

7.11 Despite being a proposed allocation in the Publication Draft version of the local plan, the Preferred Sites Consultation proposed to delete the allocation. The reason given for the deletion of ST30 was as follows:

'Following further technical officer consideration of the site it is considered that the site performs an important role in maintaining a green wedge into York from Monk Stray which contributes to the setting of York. Maintaining green wedges is a key characteristic of York and an important role of York's Green Belt. The site is not constrained to the north and eastern boundaries opening onto open agricultural fields to the northern boundary providing access to open countryside. Pasture Lane to the eastern boundary has intermittent residential properties along a track and does not provide containment to the site.'

7.12 The only concern regarding the proposed allocation of the Site known as ST30 appeared to relate to Green Belt issues in that the Council considered that ST30 performs an important role in maintaining a green wedge into York from Monk Stray which the Council contends contributes to the setting of York.

7.13 DPP submitted representations to the Preferred Sites Consultation in September 2016 on behalf of Linden Homes Strategic Land and Miller Homes to demonstrate that the Council's comments were unfounded in that ST30 did not serve any material Green Belt purpose. Indeed, the Council had previously reached this conclusion. DPP concluded that ST30 should be reinstated as a proposed housing allocation or in the alternative as safeguarded land.

Pre-Publication Draft Regulation 18 Consultation (September 2017)

7.14 The LPA have then published the Pre-Publication Draft of the local plan in September 2017 along with its evidence base. Within the evidence base was the 'Preferred Sites Consultation Statement' which summarised the consultation responses received in relation to the Preferred Sites Consultation. Within the SHLAA which was also included within the evidence base these consultation responses were added to the comments of the Technical Officer Workshop and a full assessment of each site was provided.

7.15 The following points were made in relation to ST30 during the consultation exercise:

- The important role of the green wedge in preserving the historic character and setting of York; and
- Concerns around the impact of development on infrastructure.

7.16 DPP submitted representations on behalf of Linden Homes Strategic Land and Miller Homes which reviewed the assessment and provided further comments to demonstrate why ST30 should not be deleted. DPP addressed the points referred to above under the following headings: -

- The role of the green wedge/Green Belt
- The containment of the Site
- Impact on Infrastructure.

7.17 These comments have been reproduced below for completeness.

The Role of the Green Wedge/Green Belt

7.18 It is important to explore what green wedge/Green Belt roll ST30 performs.

7.19 The most important document in this regard is the Inspector's Report (1995) in relation to the York Green Belt Local Plan. Within this document it is stated that that character of ST30 varied from north to south with the north of ST30 being more closely aligned with the green wedge based on Monk Stray and the open countryside. To the south its character is increasingly influenced by existing urban development on Stockton Lane.

7.20 The Inspector was of the opinion that when viewing ST30 from Stockton Lane, the character of the part of ST30 near the road was influenced by the existing residential development at Greenfield Park Drive, the church and the existing dwellings north of Stockton Lane. The Inspector believed that the character of the area was largely urbanised and did not form part of a wider countryside or green wedge extending into York from the Open Countryside.

7.21 The Inspector believed that the position at which urban influence diminishes and the green wedge became dominant was difficult to determine but the Inspector believed that the most realistic line would be the first field boundary to the north from Stockton Lane.

7.22 The Inspector recommended that the Green Belt boundary be changed to exclude ST30.

7.23 In September 1995, and following the Inspector's recommendations, North Yorkshire County Council (NYCC) endorsed the Inspector's findings and ST30 was removed from the proposed Green Belt and shown within the urban area on the York Green Belt Local Plan Post Modifications Proposals Map.

7.24 Consequently, it is clear that ST30 has already been deemed not to perform a Green Belt function and that there is no need to keep ST30 permanently open. It has been deemed that ST30's exclusion from the Green Belt would not be detrimental or impact upon the green wedge role or impact on the Monk Stray to the north.

7.25 However, additional technical information was provided to the Council at the Preferred Options stage. At various points in time a suite of technical reports and papers (on planning, highways, drainage, archaeology, landscape, arboriculture and ecology) had been provided to the Council, which evidenced the inherent sustainability, accessibility and deliverability of the Site. In particular at the Preferred Options stage an Outline Landscape and Visual Appraisal by Trevor Foreman CLMI of Smeeden Foreman Landscape Architects (July 2013) was submitted. We also understand that since the publication of the Preferred Options draft plan the Green Belt local plan Inspector's conclusions have been brought to the attention of the Council.

7.26 Following the Preferred Options Consultation, officers of the City of York Council reappraised ST30. Within the summary of the Technical Officer Assessment, dated April 2014, it is noted that the Site lies opposite the built eastern extent of Heworth and Pasture Lane clearly defines the eastern edge. The summary goes onto say:

‘The site contains a number of hedges marking a small field pattern, supplemented with a number of small ponds. The site would lessen the distance between Heworth and Malton Road, possibly impacting on the setting of the city. Development would come level with Greenfield Park Drive, which are visible from Malton Road. It is felt that the site is potentially suitable for development subject to a detailed landscape and visual appraisal and amendments to the site layout to ensure the development is further set back from the road frontage.’

7.27 The document recommended that ST30 be considered for residential development within the next stage of the local plan.

7.28 In the City of York Local Plan Site Selection Paper addendum, dated September 2014, which accompanied the papers published alongside the Publication Draft, confirmed that the ST30 is: -

“Identified on the proposals map be allocated for residential development purposes within the plan period”.

7.29 Under the heading ‘site allocation approach justification’ the document states that: -

“Work to date indicates that the land is controlled by willing landowners, is capable of satisfying the Councils site selection criteria relating to land constraints and accessibility of services and transport, and is free of fundamental constraints to delivery. The proposed allocation boundary reflects the comprehensive masterplan approach being pursued by site promoters. On the basis of this proposed allocation approach, technical work to date indicates that:

- *The allocation is viable and deliverable in the context of site conditions and policy approach;*
- *Site access proposals as set out in current masterplan work are acceptable, a sustainable transport approach is deliverable and network impacts are mitigatable;*
- *It is feasible and viable to provide service infrastructure (including energy supply, water, open space and community facilities) for the site;*
- *Any ecological impacts are likely to be manageable through the master planning and planning control processes. The ridge and furrow grasslands together with the numerous ponds and known protected species in the area will make the presence of water vole, great crested newts and other amphibians very likely which would require mitigation and connection to meta-populations;*
- *Landscape impacts can be managed through an appropriate masterplan approach;*
- *There needs to be a treed margin onto Boroughbridge Road along the south-eastern frontage to maintain an impression of greenery. This should be a generous green verge with large-species mature trees. There should be greenspace located along the north-western stretch of the site to aid the transition from town to rural setting. In addition, it is considered that further*

greenspace should be located along the southwest perimeter to create a suitable edge to the greenbelt.

- *Green Belt and heritage impacts (as assessed through Heritage Impact Assessment) show potential minor harm to principal characteristics 4, 5 and 6. This is due to the unknown nature of proposed housing design, the potential impact to any surviving archaeological deposits (both of which are mitigatable through masterplan approach and planning control), and impact on the landscape and setting of the city and of the village of Heworth. The retention (or respecting of) historic field boundaries, and use of strategic landscaping is recommended in terms of mitigating characteristic 6 impacts, and will be secured through master planning and planning control.*
- *It is feasible and viable to provide site drainage infrastructure compliant with Local Plan policy*
- *Known environmental issues associated with Air Quality, Noise, Light Pollution and Contamination have been subject of technical assessment and are considered to be mitigatable through masterplan approach and planning agreements.*

7.30 It is clear that the Council have rigorously assessed ST30 and considered that if there is any harm to the green wedge and the Green Belt it can be mitigated.

7.31 Despite the clear recommendation of the Inspector, NYCC and the Council's own assessment of ST30 it is not allocated for either housing development or as safeguarded land in the Local Plan. Rather the Council proposed to include the Site with the draft Green Belt. It is difficult to see how the decision to include the land within the Green Belt was arrived at given all of the above

7.32 Green Belt policy and the purposes of including land within the Green Belt has remained fundamentally the same for a considerable period of time and we are not aware of any material change to Green Belt policy which would result in a different decision. Given the very clear conclusion reached by the Green Belt local plan Inspector, the decision of NYCC to exclude ST30 from the Green Belt and the rigorous and transparent assessment by officers we are quite frankly perplexed that the Site is now proposed to be put into the Green Belt.

The Containment of the Site

7.33 Linden Homes Strategic Land and Miller Homes were similarly bemused by this reason. ST30 is located adjacent to built development on its western, eastern and southern boundaries, only the northern boundary is in any way open.

7.34 Along the eastern boundary there is a hedgerow and a road known as Pasture Lane. Pasture Lane serves a cluster of residential properties and a large farm complex as well as a commercial enterprise. Beyond these residential properties is a mature hedgerow with numerous hedgerow trees within it. This is a clear and defensible boundary and when you are approaching York along Stockton Lane it is plainly the start of urban development.

7.35 The northern boundary is somewhat irrelevant to the principle of excluding ST30 from the Green Belt as ST30 is bounded to three sides by existing urban land uses. The allocation of ST30 would

simply infill a gap between areas of built development. Furthermore, development would not extend beyond the extent of existing development of Greenfield Park Drive.

- 7.36 Notwithstanding the above the northern boundary is formed by a partial hedgerow and it is clear on the ground. As suggested by officers of the Council, views into and out of ST30 to the north can be mitigated by additional landscaping. The physical characteristics of ST30 and its relationship to the urban area are shown on the aerial image below.
- 7.37 It is plain that ST30 is well contained by existing physical features and if those physical features are in any way lacking, and we do not believe that they are, then this can be mitigated by landscaping which can be secured through the allocation and master planning of ST30.
- 7.38 Therefore, it was considered that at the time of the York Green Belt local plan that ST30 did not perform a Green Belt purpose and that ST30 could be removed from the Green Belt without impacting in a detrimental manner upon the City of York. Nothing has changed since this conclusion was reached. The reasons given by the Council for the proposed deletion of ST30 in this regard are unsound.

Impact on Infrastructure



- 7.39 This was raised during the consultation process and is a common concern relating to new residential development within existing settlements. However, there have been no issues raised by officers in their assessment of ST30 in relation to the impact on infrastructure and this point can therefore be dismissed. Indeed, the opposite is likely to be true in that the allocation of housing in this location will support local services and infrastructure.
- 7.40 DPP on behalf of Linden Homes Strategic Land and Miller Homes requested that the housing allocation be reinstated or in the alternative that ST30 is allocated as safeguarded land.

Publication Draft Regulation 19 Consultation (February 2018)

- 7.41 The Publication Draft (February 2018) of the Local Plan continues to show Site ST30 within the Green Belt and not to be allocated for housing development.

Conclusion

- 7.42 Given the very clear conclusion reached by the Green Belt local plan Inspector, the decision of NYCC to exclude ST30 from the Green Belt and the rigorous and transparent assessment by officers it is quite clear that ST30 does not perform an important Green Belt or green wedge purpose or function.
- 7.43 The Council previously satisfied themselves that ST30 is available and is suitable for residential development and the development is achievable at the point in time when ST30 is intended to deliver development as ST30 was a proposed housing allocation in the Publication Draft (September 2014) version of the plan.
- 7.44 ST30 is well contained by existing physical features and if those physical features are in any way lacking, and we do not believe that they are, then this can be mitigated by landscaping which can be secured through the allocation and master planning of ST30.
- 7.45 Given all of the above we request that this most sustainable of sites be reintroduced into the Local Plan and allocated for housing development.

Soundness

- 7.46 We consider that the Local Plan is unsound, in that the Local Plan does not provide sufficient housing land to meet the needs of the housing market area and those sites identified will not deliver the units identified and as such the plan is not justified and will not be effective and therefore does not deliver sustainable development in accordance with national policy.

Modification

- 7.47 To address the above ST30 should be reintroduced into the plan and reallocated for housing development.

8.0 Sustainability Appraisal

- 8.1 In order to consider the sustainability and therefore the relative merits of ST30, the Site has been assessed against a number of different sites which appear within the Local Plan.
- 8.2 The table included at **Appendix 6** reflects the Council's Sustainability Appraisal (2016) that formed part of the Preferred Sites Consultation in July 2016 and summarises the sustainability of each site. This is the most recent sustainability appraisal which incorporates ST30 as it has since been deleted.
- 8.3 Within the Council's Sustainability Appraisal, all sites were assessed against 15 Sustainability Appraisal (SA) objectives using a tailored assessment criterion to remain consistent with site appraisals within previous version of the Local Plan. Each site was scored in relation to the effect it would have on the objective. The assessment criteria are shown below.

++	Likely to have a significant positive effect on the SA objective
+	Likely to have a positive effect on the SA objective
O	No significant effect/no clear link to the SA objective
I	Uncertain or insufficient information on which to determine effect on the SA objective
-	Likely to have a negative effect on the SA objective
--	Likely to have a significant negative effect on the SA objective

- 8.4 As can be seen from the table at **Appendix 6** it is evident that ST30 scores higher than ST14, ST15 and ST31 against most objectives. ST30 scores a total of 6 positive outcomes (Greens), 2 single negatives (Amber) and 2 double negatives (Red). The double negative relating to ST30 are common to most of the proposed allocations as they relate to the category of Land which assesses whether the land is Brownfield/Greenfield and the Agricultural Land Classification that the land falls within and the category of Water which relates to the proximity to water bodies and whether the Site lies within the Environment Agency Groundwater Source Protection Zones. A score of double negative (Red) on these two objectives is common to many of the proposed allocations. Whereas, ST14, for example, has only 2 positive outcomes (Greens), 2 uncertainties (Blue), 4 single negatives (Amber) and 4 double negative (Red) scores. ST15 has a similar assessment to that of ST14. It is therefore plain that ST30 is a more sustainable site than ST14, ST15 and ST31. Given the above, it is difficult to explain why the Council have chosen to allocate less sustainable development options to ST30, particularly as sustainability is at the heart of the Framework.

Soundness

- 8.5 It is considered that the Local Plan is unsound in that the Council's own evidence base shows that ST30 is a more sustainable development option than other proposed housing allocations and therefore the Local Plan has not been positively prepared and is not justified and is not consistent with National Policy.

Modification

- 8.6 To address the above, ST30 is a sustainable site and should be reintroduced into the Local Plan and reallocated for housing development.

9.0 Objection to Policy SS1

Introduction

9.1 Lichfields has been commissioned by Linden Homes, Taylor Wimpey UK Ltd, Persimmon Homes, Strata Homes Ltd & Bellway Homes [the Companies] to undertake a review of City of York Council's housing requirement and housing supply that has formed a key part of the evidence base to inform the Local Plan.

The City of York Strategic Housing Market Assessment

9.2 The Framework sets out that local planning authorities should use their evidence base to ensure they meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework. To provide an objective assessment of housing need ("OAHN") the Council commissioned GL Hearn to produce the following reports and updates: -

- i) The City of York Strategic Housing Market Assessment (June 2016) ("SHMA")
- ii) The Strategic Housing Market Assessment Addendum (June 2016) ("the Addendum"); and
- iii) The Strategic Housing Market Assessment Update (September 2017) ("the Update")

Background

9.3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to prepare the SHMA. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27th June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.

9.4 On the 25th May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However, in June 2016 GL Hearn produced an Addendum to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.

9.5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by the Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation relating to OAN. The GL Hearn SHMA Update (September 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the

demographic starting point from 783dpa (in the 2016 SHMA) to 867dpa. In their Update, GL Hearn then applied a 10% uplift to the 867dpa starting point to account for market signals and affordable housing need and identifies a resultant housing need of 953dpa. However, a cover sheet to GL Hearn's Update, entitled '*Introduction and Context to objective Assessment of Housing Need*' was inserted at the front of this document by the Council. This states that 867dpa is the relevant baseline demographic figure for the 15-year period of the plan (2032/33). The Council rejected the 953dpa figure on the basis that GL Hearn's conclusions stating:

"...Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations."

9.6 As a result of this approach, the Publication Draft now states in Policy SS1: Delivering Sustainable Growth for York, the intention to:

"Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38."

9.7 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is "*an objectively assessed housing need*"

9.8 The Council therefore commissioned GL Hearn, an expert in the field, to produce a Strategic Housing Market Assessment in order to provide an OAHN and having done so the Council elected to ignore the findings of the Strategic Housing Market Assessment considering it to speculative and arbitrary. The Council provided no evidence as to substantiate its claim that the Strategic Housing Market Assessment was speculative and arbitrary. The decision to ignore the advice of the Council's independent experts is flawed and unsound.

9.9 We will go onto explain why the Council decision to ignore the advice of the Council's independent experts is flawed and unsound.

Housing Requirement

1.1 There are a number of deficiencies in the Strategic Housing Market Assessment Update highlighted by Lichfields and these are summarised below.

- i) The Council's approach to identifying an assessed need of 867 dpa in the introductory section of the SHMA Assessment Update is considered to be fundamentally flawed. This is effectively a 'policy-on' intervention by the Council which should not be applied to the OAHN. It has been confirmed in the Courts that FOAN is 'policy off' and does not take into account supply pressures. The Council's approach to identifying the OAHN, as set out in the SHMA Assessment Update, would therefore be susceptible to legal challenge. The calculation of OAHN should therefore be based on the normal 'policy-off' methodology.

- ii) There are a number of significant deficiencies in the SHMA Assessment Update which means that the 953 dpa OAHN figure identified in the Assessment Update is not soundly based. In particular:
- GL Hearn clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. However, this demographic-led figure of 871 dpa does not appear to have been carried forward by GL Hearn in calculating the resultant housing need. Lichfields agree with making an adjustment for demographic and household formation rates. However, it would be illogical to revert back to unadjusted projections of 867 dpa and then take this to apply the adjustment for market signals and affordable housing, when a demographic need of 871 dpa has been identified.
 - Overall, the Assessment Update fails to distinguish between the affordable housing needs of the City of York and the supply increase needed to address market signals to help address demand. Instead the SHMA blends the two elements within the same figure resulting in a conflated figure which is lower than the level of uplift deemed reasonable by the Eastleigh and Canterbury Inspectors, despite the fact that market signals pressures in York indicate signs of considerable stress and unaffordability. The Practice Guidance is clear that the worse affordability issues, the larger the additional supply response should be to help address these.
 - Given the significantly worsening market signals identified in City of York, Lichfields consider that a 20% uplift would be appropriate in this instance and should be applied to the OAHN, plus a further 10% uplift to help address affordable housing needs.
- 9.10 The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within the Lichfields report provides alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 9.11 **Demographic Baseline:** The 2014-based household projections indicate a net household growth of 867dpa between 2014 and 2024 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly lower) 2015 MYE, and through the application of accelerated headship rates amongst younger age cohorts takes the demographic starting point to **871dpa**.
- 9.12 **Market Signals Adjustment:** GL Hearn's uplift is 10%. However, Lichfields considers that a greater **uplift of 20%** would be more appropriate in this instance. When applied to the **871dpa** re-based demographic starting point, this would indicate a need for **1,045dpa**. The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by Experian, past trends or the blended job growth approach. As such, no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met;
- 9.13 The scale of **affordable housing needs**, when considered as a proportion of market housing delivery, implies higher levels of need over and above the 1,045dpa set out above. It is considered that to meet affordable housing needs in full (573dpa), the OAHN range should be adjusted to 1,910dpa

@30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields consider that a **further 10% uplift** would be appropriate in this instance and should be applied to the OAHN, resulting in a final figure of **1,150 dpa**.

- 9.14 Whilst it is accepted that limited weight can be attached to the MHCLG proposed standardised methodology figure this figure nevertheless reflects the direction of travel of Government policy. The MHCLG proposed standardised methodology figure is 1,070 dpa similar to the Lichfield figure which has been uplifted to address market signals but not be uplifted to address affordable housing need.
- 9.15 The Lichfields housing requirement allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Lichfields consider that using this figure would ensure compliance with paragraph 47 of the Framework by significantly boosting the supply of housing. It would also reflect paragraph 19 of the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

Housing Land Supply

- 9.16 Lichfields have also assessed the Council's housing supply position. Lichfields raise issues and concerns about the following matters; -
- i) Lead in times;
 - ii) Delivery rates;
 - iii) Density assumptions;
 - iv) The components of supply;
 - v) ST14 and ST15; and
 - vi) Windfall.
- 9.17 Lichfields has undertaken an analysis of the Council's evidence base documents and question some of the assumptions in relation to the components of supply conclude that some of the proposed delivery rates on sites are unfounded and unrealistic.
- 9.18 The assessment of the balance between the housing requirement and supply demonstrates that there is a significant shortfall when assessed against the Lichfields assessment of the OAHN.
- 9.19 The Lichfield Report is attached at **Appendix 7**.

Soundness

- 9.20 In these circumstances, the Local Plan is not ‘sound’ as required by the Framework, as the Council have not properly assessed the OAHN or set out a justified and effective housing requirement nor have the Council demonstrated an adequate supply of land as required by national guidance.

Modification

- 9.21 The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a ‘sound’ plan and enable the much-needed investment in new housing to meet the community’s needs.

10.0 Objection to Policy SS2 - Green Belt Designation

10.1 Policy SS2: The Role of York's Green Belt states:

"The primary purpose of the Green Belt is to safeguard the setting and the special character of York and delivering the Local Plan Spatial Strategy. New building in the Green Belt is inappropriate unless it is for one of the exceptions set out in policy GB1.

The general extent of the Green Belt is shown on the Key Diagram. Detailed boundaries shown on the proposals map follow readily recognisable physical features that are likely to endure such as streams, hedgerows and highways.

To ensure that there is a degree of permanence beyond the plan period sufficient land is allocated for development to meet the needs identified in the plan and for a further minimum period of five years to 2038."

10.2 Within the current version of the Local Plan ST30 is shown to lie within the Green Belt.

10.3 Paragraph 80 of the NPPF states that the 5 purposes of including land within the Green Belt are as follows:

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

10.4 ST30 was considered for development in the Further Sites Consultation (June 2014) and allocated for development in the Publication Draft (2014) versions of the local plan and as such it is plain that the Council previously did not consider that the Site performed any significant Green Belt purpose and that it is not important to keep the Site permanently open.

10.5 An exercise was carried out by the Council in the preparation of local plan which aimed to establish Green Belt Character Areas and highlighted the role and importance of the Green Belt surrounding York. We note that the Wider Site is shown to lie outside the Monk Strays but within a green wedge. The masterplan shows that a large proportion of the Wider Site is given over to open land uses and therefore the essential characteristic of the green wedge will be retained.

10.6 In any event the green wedge at this location is wide and the loss of a small amount of the green wedge to housing to enable the provision of a significant city wide and national sporting facility outweighs any limited harm to the green wedge.

10.7 Linden Homes Strategic Land and Strata Homes therefore object to the inclusion of ST30 and the Wider Site within the Green Belt

Soundness

- 10.8 The Local Plan does not provide sufficient housing land to meet needs of the housing market area and those sites allocated will not deliver the units identified and as ST30 and the Wider Site do not perform a Green Belt purpose they should not be included in the Green Belt. On the basis of the above we consider that the Local Plan is unsound, it is not justified and will not be effective and therefore does not deliver sustainable development in accordance with national policy.

Modifications

- 10.9 Site ST30 and the Wider Site should be removed from the Green Belt.

11.0 Objection to Policy H2 - Density of Development

- 11.1 In addition to Lichfields' comments relating to the OAHN and the proposed housing land supply we also have concerns about the density of development that the Council believe can be delivered from the various allocated sites.
- 11.2 We welcome the clarification that this policy should be used as a general guide and that the density of any development will need to respond to its context.
- 11.3 We however have concerns about the density of development that the Council believe can be delivered from the various allocated sites.
- 11.4 We note that as a general trend the density of development on allocated sites increased in the Preferred Sites Consultation (2016) when compared to the Publication Draft (2014). These densities increased again when comparing the Preferred Sites Consultation (2016) to the Pre-Publication Draft. See the table attached at **Appendix 8**.
- 11.5 It would appear that the Council have changed their approach to calculating development densities between the various draft iteration of the local plan. For example, in the Preferred Options (2013) it was assumed that in the villages and rural areas development would occur at 30 dwellings per hectare. In the Publication Draft (2014) it is assumed that development in the villages and rural areas would occur at 35 dwellings per hectare. We feel that for villages and rural areas a development density of 30 dwellings per hectare would be more appropriate.
- 11.6 The development density for suburban areas, which includes Haxby and Wigginton, is identified as 40 dwellings per hectare. Given the character and form of some suburban areas it is considered that such a density of development could be harmful particularly if a balanced development is to be provided. A development density of 40 dwellings per hectare is more characteristic of high density urban living rather than an extension to sustainable suburban areas and villages. It implies a high proportion of small tight knit dwellings which would be uncharacteristic of locations adjoining urban areas and villages which have typically been developed at about 25 dwellings per hectare. It would be reasonable to expect a development density above 30 dwellings per hectare but 40 dwellings per hectare is too high.
- 11.7 As to the proposed development densities of 50 dwellings per hectare for urban areas and 100 dwellings per hectare within the city centre, these densities of development are considered ambitious particularly where there is a need to incorporate open space. Development at this density may limit the marketability of the product and if this is the case it would not boost housing delivery.
- 11.8 The proposed densities and the increases in the yields from individual sites needs to be fully explained and justified.

- 11.9 The Council need to justify the density of development in the various areas and the increases in the yields from various sites in order to ensure that they are robust and are not going to lead to a shortfall in housing delivery.
- 11.10 On the basis of the above we object to the proposed development densities being applied in policy H2 and on individual sites.

Soundness

- 11.11 We consider that Policy H2 and the associated assumed yields applied to various allocations are unsound and not justified and will not ensure effective delivery of the housing requirement and is therefore inconsistent with national policy.

Modification

- 11.12 We suggest that that net development density is reduced and that greater flexibility is included in the policy to allow for balanced developments to be created.

12.0 Objection to Policy H3 – Housing Market

- 12.1 This policy is related to balancing the housing market. We do not object to the principle of this policy and indeed we welcome the acknowledgement in the Local Plan that the Council will *“seek to balance the housing market across the plan period”*. In this regard we welcome the use of the word *“seek”*. However, the policy then says that the applicants *“will be required to balance the housing market by including a mix of types of housing which reflects the diverse mix of need across the city”*. The use of the word *“required”* is onerous and is not reflective of the tone of the policy when read as a whole. For example, the policy goes onto state that *“the final mix of dwelling types and sizes will be subject to negotiation with the applicant”*.
- 12.2 Further, we also feel that it is unreasonable for an applicant to provide sufficient evidence to support their proposals particularly where a developer is providing a housing mix which is broadly in accordance with the identified need. This should be deleted.

Soundness

- 12.3 We consider that Policy H3 is unsound as it will not be effective, it is not justified, and is not consistent with national policy.

Modification

- 12.4 We suggest the policy should be modified to provide greater flexibility to allow for balanced developments to be created. In this regard we would suggest amending the policy to read *“Proposals for residential development should assist in balancing the housing market, unless material considerations indicate otherwise, by including a mix of types of housing that respond to and reflects the diverse mix of need across the city and the character of the locality.”*

13.0 Objection to the Allocation of ST5

- 13.1 The Local Plan identifies this site as having a total site area of 78ha and a net developable area of 35ha. The Local Plan suggests that this proposed allocation will be a mixed-use development allegedly providing 1700 to 2500 dwellings of which a minimum of 1,500 will be delivered in the plan period and 100,000 sqm of office space (B1a).
- 13.2 We note that this will be an extremely challenging site to bring forward. Indeed, we are aware that Network Rail and its predecessors have been trying to develop the site since the 1960's/1970's (some fifty years) but development has never been brought forward. Given the length of time that this site has been theoretically available there is quite a considerable amount of doubt as to its viability and deliverability.
- 13.3 Our concern here is exacerbated by the fact that we still do not believe that there is any developer interest. The site is not attractive to the private sector due to the high risks of development.
- 13.4 We understand that the Council are seeking to de-risk the development with public funds but this will not necessarily bring the site forward as there is no or little track record within the City of York of large scale grade 'A' office space or high rise residential accommodation particularly for private purchasers. There are therefore few or no comparable projects to give developers confidence to invest in proposals for development on the site even if public funds are invested.
- 13.5 To make the scheme work there is a need to create high density, high rise family apartment accommodation (apartment blocks of between 6 and 8 storeys in height and houses of between 2 and 4 storeys) on the site and there is no or little comparable market information for this type of development in York. Therefore, the market is likely to be nervous of this type of development. Indeed, family apartments of the type envisaged by the Council on the York Central site may end up being more expensive than other housing options in and around the City. Therefore, people who wish to live at York Central will do so as a life style choice and this will limit sales and further depress developer interest.
- 13.6 Without confidence in the market place, interest in speculative development is likely to be slow. This would suggest to us that the proposed development, even if allocated, will take a considerable period of time to deliver – if at all.
- 13.7 Furthermore, given the historic importance of this skyline in York we are also concerned that a large cluster of tall buildings would have an adverse impact on the skyline and would be found to be unacceptable by Historic England and the Council's own heritage department.
- 13.8 In conclusion, there is currently no developer interest and insufficient evidence to demonstrate that site ST5 is suitable for the type and scale of development proposed or when the site will be genuinely available for development and that the proposed development is achievable in the timescales and quantum set out.

Soundness

- 13.9 We consider the allocation of ST5 to be unsound in that ST5 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

Modification

- 13.10 We do not suggest that allocation known as ST5 should be deleted but rather that an aspirational but achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST5 should be 410 units as set out in the Publication Draft (2014). This level of development is more realistic and achievable.

14.0 Objection to the Allocation of ST14

Introduction

- 14.1 This allocation constitutes a new standalone settlement, or ‘garden village’ to the east of Skelton. The site has an indicative capacity of 1,348 dwellings, of which 1200 dwellings are to be constructed over the plan period (to 2032).
- 14.2 This site was previously included within the Publication Draft (2014) as a strategic site with a total site area of 157 hectares and a total site capacity of 2,800 dwellings. This site was revised due to concerns relating to the Green Belt, historic character and setting.
- 14.3 The site is isolated from existing settlements and located within the agreed general extent of the York Green Belt. It is unclear why this site is considered appropriate to be removed from the Green Belt, and not smaller more sustainable sites which sit at the edge of existing settlements and which could deliver housing promptly and sustainably and thereby boosting housing supply in accordance with national policy.
- 14.4 We are not sure how the change in the size of the allocation has overcome these technical and policy concerns.

Our Concerns

- 14.5 Our principle concern however relates to the delivery of the site and in particular the estimate yield within the plan period.
- 14.6 The Council have indicated in their letter to the Secretary of State in January 2018 and the Local Development Scheme (2017) that the Local Plan will be submitted to the Secretary of State at the end of May and that the plan will be examined between June and August 2018 with the Inspector’s report being available towards the end of 2018. The Council have indicated that they hope to adopt the Local Plan in February 2019.
- 14.7 Lichfields, who have produced a well-considered and robust publication on the delivery of large scale housing schemes¹ estimate lead in times for developments. Lead in times relate to matters such as: -
- Securing outline planning permission;
 - Negotiations on S106;
 - The approval of reserved matters;
 - The discharge of conditions;
 - Completion of land purchases
 - Mobilisation; and

¹ Start to Finish – How Quickly do Large-Scale Housing Site Deliver? November 2016

- Infrastructure works.

14.8 Lead in times vary in relation to the stage that a proposal has reached and by the size of the site. The larger the site the more difficult the negotiations and matters that need to be resolved. The following table sets out a general and robust methodology for calculating lead in times.

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 Year	1.5 Years	2 Years
Outline Planning Permission	1.5 Years	2 Years	2.5 Years
Application Pending Determination	2.5 Years	3 Years	3.5 Years
No Planning Application	3 Years	3.5 Years	4 Years

14.9 To date no planning application has been submitted and the development of this site will require significant infrastructure works, particularly to obtain access, and extensive community facilities in order to deliver the proposed development and to make it sustainable.

14.10 ST14 is a large proposal which will generate a significant increase in traffic on the A1237. Capacity enhancements will need to be made to roads and junctions within the vicinity of the site in order to accommodate this development and these works will need to be undertaken in advance of the completion of any units. Providing sufficient access to and mitigating the impacts of the development will require substantial infrastructure to be put in place and this will take time to deliver.

14.11 If you apply the standard methodology adopted by Lichfield's it is possible that a start of development works will occur 4 years from the point of assessment or 3.5 years after the submission of the outline application which is likely to be sometime in the future. For the purpose of this exercise we have assumed 4 years from April 2018. Therefore, a start of works can be assumed as April 2022.

14.12 In a similar fashion Lichfield's estimated delivery rates based on the size of the site. Lichfield's indicate that small sites, less than 100 units, tend to be built by local or regional builders. On sites of less than 250 units only one volume house builder is normally active but on sites up to 500 units there may a second volume house builder and on sites over 500 units there may be a third volume house builder. See the table below.

	0-100 units	100-250 units`	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

- 14.13 We assume that there will be 3 different house builders on the ST14. We have therefore assumed a delivery rate of 90 dwellings per annum.
- 14.14 If the lead in time is 4 years the residual Local Plan period will be 10 years. Building at 90 dwellings per annum and assuming a remaining 10 year plan period ST14 would deliver 900 dwellings. A shortfall of 300 dwellings in comparison to the Local Plan's estimated yield.
- 14.15 There is a need to allocate a wide range and choice of housing sites throughout the District and the allocation of several extremely large sites, notably ST14 and ST15, does little to ensure a robust and longer-term level of housing delivery. In fact, the allocation of these two sites limits the number of outlets and the geographical distribution of sites and as a consequence it hinders housing land supply and delivery rather than boosting it.
- 14.16 As a consequence, it is considered that the Council should reinstate the proposed housing allocation known as ST30 as the Council have already concluded that this Site is available, that the land is suitable for development and that development is achievable and allocate the Wider Site to provide additional housing land.

Soundness

- 14.17 We do not object to the principle of the allocation but we do consider the estimated yield from ST14 to be overly ambitious so as to call into question the ability of the Local Plan to deliver houses to meet the housing requirement. As such we consider the yield assumed for ST14 to be unsound in that ST14 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

Modification

- 14.18 We do not suggest that allocation known as ST14 should be deleted but rather that an aspirational but achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST14 should be reduced to 900 units. We consider that this number of units is more realistic and achievable.

15.0 Objection to the Allocation of ST15

Introduction

- 15.1 This allocation is, to all intents and purposes, an entirely new settlement located within the open countryside to the west of Elvington. The site has an indicative site capacity of 3,339 dwellings, of which 2,200 dwellings will be constructed over the plan period (to 2032/33).
- 15.2 The site is currently located within the agreed general extent of Green Belt around the City of York. It is unclear why the Local Plan considers it to be appropriate to remove this large site from the Green Belt and not allocate other smaller more sustainable sites which are situated on the edge of existing settlements and which could deliver housing promptly and sustainably and thereby boosting housing supply in accordance with national policy.

Our Concerns

- 15.3 Our principle concern however relates to the delivery of the site and in particular the estimated yield within the plan period.
- 15.4 The Council have indicated in their letter to the Secretary of State in January 2018 and the Local Development Scheme (2017) that the Local Plan will be submitted to the Secretary of State at the end of May and that the plan will be examined between June and August 2018 with the Inspector's report being available towards the end of 2018. The Council have indicated that they hope to adopt the Local Plan in February 2019.
- 15.5 Lichfield, who have produced a well-considered and robust publication on the delivery of large scale housing schemes² estimate lead in times for developments. Lead in times relate to matters such as: -
- i) Securing outline planning permission;
 - ii) Negotiations on S106;
 - iii) The approval of reserved matters;
 - iv) The discharge of conditions;
 - v) Completion of land purchases
 - vi) Mobilisation; and
 - vii) Infrastructure works.
- 15.6 Lead in times vary in relation to the stage that a proposal has reached and by the size of the site. The larger the site the more difficult the negotiations and matters that need to be resolved. The following table sets out a general and robust methodology for calculating lead in times.

² Start to Finish – How Quickly do Large-Scale Housing Site Deliver? November 2016



Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 Year	1.5 Years	2 Years
Outline Planning Permission	1.5 Years	2 Years	2.5 Years
Application Pending Determination	2.5 Years	3 Years	3.5 Years
No Planning Application	3 Years	3.5 Years	4 Years

15.7 ST15 is a large-scale proposal located in an isolated position within the open countryside and the Green Belt. No planning application has been submitted and the development of this site will require significant infrastructure works, particularly to obtain access, and extensive community facilities in order to deliver the proposed development and to make it sustainable.

15.8 If you apply the standard methodology adopted by Lichfield’s it is possible that a start of development works will occur 4 years from the point of assessment or 3.5 years after the submission of the outline application which is likely to be sometime in the future. For the purpose of this exercise we have assumed 4 years from April 2018. Therefore, a start of works can be assumed as April 2022.

15.9 In a similar fashion Lichfield’s estimated delivery rates based on the size of the site. Lichfield’s indicate that small sites, less than 100 units, tend to be built by local or regional builders. On sites of less than 250 units only one volume house builder is normally active but on sites up to 500 units there may a second volume house builder and on sites over 500 units there may be a third volume house builder. See the table below.

	0-100 units	100-250 units`	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

15.10 We assume that there will be 3 different house builders on the ST15. We have therefore assumed a delivery rate of 90 dwellings per annum.

15.11 If the lead in time is 4 years the residual Local Plan period will be 10 years. Building at 90 dwellings per annum and assuming a remaining 10 year plan period then ST15 would deliver 900 dwellings.

15.12 There is a need to allocate a wide range and choice of housing sites throughout the District and the allocation of several extremely large sites, notably ST14 and ST15, does little to ensure a robust and longer-term level of housing delivery. In fact, the allocation of these two sites limits the number of outlets and the geographical distribution of sites and as a consequence it hinders housing land supply and delivery rather than boosting it.

15.13 As a consequence, it is considered that the Council should reinstate the proposed housing allocation known as ST30 as the Council have already concluded that this Site is available, that the

land is suitable for development and that development is achievable and allocate the Wider Site to provide additional housing land.

Soundness

- 15.14 We do not object to the principle of the allocation but we do consider the estimated yield from ST15 to be unrealistic and to call into question the ability of the Local Plan to deliver houses to meet the housing requirement. As such we consider the yield assumed for ST15 to be unsound in that ST15 will not deliver the housing units identified in the plan period. The housing delivery is not justified and it is therefore inconsistent with national policy.

Modification

- 15.15 We do not suggest that allocation known as ST15 should be deleted but rather that an aspirational but achievable level of development should be established within the Local Plan. We would suggest that the level of housing delivery in the plan period for ST15 should be reduced to 900 units. We consider that this number of units is more realistic and achievable.

16.0 Objection to Lack of Safeguarded Land Policy

- 16.1 The NPPF states in paragraph 79 that the *'fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belts are their openness and their permanence'*. It is clear from the above that a Green Belt should be permanent.
- 16.2 The NPPF does not define the term permanence or how long a Green Belt should remain unaltered. However, it is at least 5 years beyond the end of the plan period but more commonly it is 10 years.
- 16.3 Paragraph 83 of the NPPF indicates that authorities should consider Green Belt boundaries having regard to their intended permanence in the long term so that they can be capable of enduring beyond the plan period. Whilst the term permanence is not defined it is clear that a Green Belt should endure for a period longer than the plan period which, in this case, ends in 2032.
- 16.4 By the time that the plan is adopted it will be at least 2019 leaving a residual plan period of only 13 or 14 years.
- 16.5 In accordance with paragraph 84 of the NPPF, when drawing up or reviewing Green Belt boundaries local authorities are required to take account of the need to promote sustainable patterns of development.
- 16.6 In order to do this paragraph 85 of the NPPF indicates that local planning authorities should:
- *"Ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
 - *Not include land which it is unnecessary to keep permanently open;*
 - *Where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
 - *Make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
 - *Satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
 - *Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent."*
- 16.7 The above means that: -
- To achieve sustainable development a local authority needs to take account of the objectively assessed need for development and provide sufficient land to accommodate this need.
 - The guidance advises that local planning authorities should not include land that does not need to be kept permanently open.
 - It is also apparent from paragraph 85 that when defining a Green Belt, a local authority needs to consider the development needs of the district which are to be met during the plan period

as well as the longer-term development needs of the District. The term “*stretching well beyond the plan period*” is significant. Well beyond implies a period greater than a few years.

- The ‘*where necessary*’ term in paragraph 85 of the NPPF applies, in our view, to situations where there is a need to allow for longer term development. So that this need can be met in due course, land should be safeguarded for the purposes of development and by identifying such land ‘*the Green Belt can be protected from encroachment thus ensuring its boundaries remain permanent.*’

16.8 What is clear from the NPPF is that when defining a Green Belt, the Green Belt should be permanent and endure well beyond the plan period and that a local authority should meet its identified development needs both during the plan period and beyond without needing to undertake an early review of the plan.

16.9 Within the Local Plan no safeguarded land is proposed. The reason given for this is that there are a few Strategic Sites identified within the document that have an anticipated build out time beyond the plan period. However, the number of the strategic sites available to provide for the longer-term development needs of the City is severely limited. Some of the identified sites are small and as allocations there is nothing stopping them being built out during the plan period.

16.10 The table below provides details of the strategic sites that the Council have identified to provide the additional housing capacity after the plan period has finished:

Site	Site Name	Plan period capacity	Overall Capacity	Additional capacity following plan period
ST5	York Central	1500	1700-2500	200- 1000
ST14	Land West of Wigginton Road	1200	1348	148
ST15	Land West of Elvington Lane	2200	3339	1139
ST36	Imphal Barracks, Fulford Road	0	769	769
Total				2306 - 3056

16.11 Only four strategic sites are identified by the Council as delivering residential development at the end of the plan period.

16.12 The City of York Council identify ST5 and ST15 as the two sites which will provide the majority of the additional housing with ST14 contributing a smaller but significant quantity.

16.13 Site ST36 is not proposed to come forward until after the plan period as The Defence Infrastructure Organisation are not intending to dispose of the Site until 2031. There are several potential issues with the delivery of this site relating to historic interest and archaeology which will need to be

investigated in detail to allow the site to come forward and may result in delays to development and/or a reduction in developable area.

- 16.14 This raises some serious concerns. The NPPF requires local planning authorities to maintain a 5-year housing land supply. It is clear from the above that even if the 4 sites identified by the Council were to deliver housing in the period 2032/33 to 2037/38 these 4 sites would not be sufficient to enable the Council to demonstrate a 5-year housing land supply as there is only so many units that can be delivered from any one site. There are simply not enough potential outlets in the supply to achieve a 5-year housing land supply. Further as two thirds of the total supply is in two sites and as we anticipate that these sites will deliver about 90 dwellings per annum it is clear that they will be delivering completions well beyond 2037/38. This further reduces the 5-year housing land supply. Effectively it would mean that before the end date of the plan period the Council would need to undertake a review of the plan to identify additional sites to ensure that the Council could maintain a 5-year housing land supply. If there is no 5-year housing land supply the Green Belt will have to be amended in 2032 or before resulting in the Green Belt not enduring for a minimum of 20 years
- 16.15 Consequently, the life of the Green Belt around York, from adoption to modification, will be no more than 12 to 13 years and probably less. This short period of time cannot be regarded as comprising a permanent Green Belt around York. Consequently, the approach in the Local Plan of not providing a wide range and choice of safeguarded land sites is contrary to the NPPF.

Soundness

- 16.16 We consider that the lack of a safeguarded land policy and the lack of identified safeguarded land sites to be unsound and unjustified and as such the Local Plan will not be effective. We consider that the lack of a safeguarded land policy and safeguarded site to contrary to national policy.

Modification

- 16.17 The inclusion of a safeguarded land policy and an appropriate quantum of safeguarded land sites.

17.0 Objection to Lack of a Safeguarded Land Allocation

- 17.1 In previous iterations of the Local Plan, the Council have accepted that the sites allocated for development performed little or no Green Belt purposes. ST30 is one of these sites. Paragraph 85 of the NPPF indicates that land should not be kept within the Green Belt which is unnecessary to be kept permanently open. The Council have therefore already accepted that the sites previously allocated for housing development do not need to be kept permanently open.
- 17.2 At the very least, and in the alternative to a housing allocation in the Local Plan, it is clear that the sites that were previously identified as housing allocations should now be allocated as safeguarded land.

Soundness

- 17.3 We consider that the lack of a safeguarded land policy and the lack of identified safeguarded land sites to be unsound and unjustified and as such the Local Plan will not be effective. We consider that the lack of a safeguarded land policy and safeguarded sites is contrary to national policy.

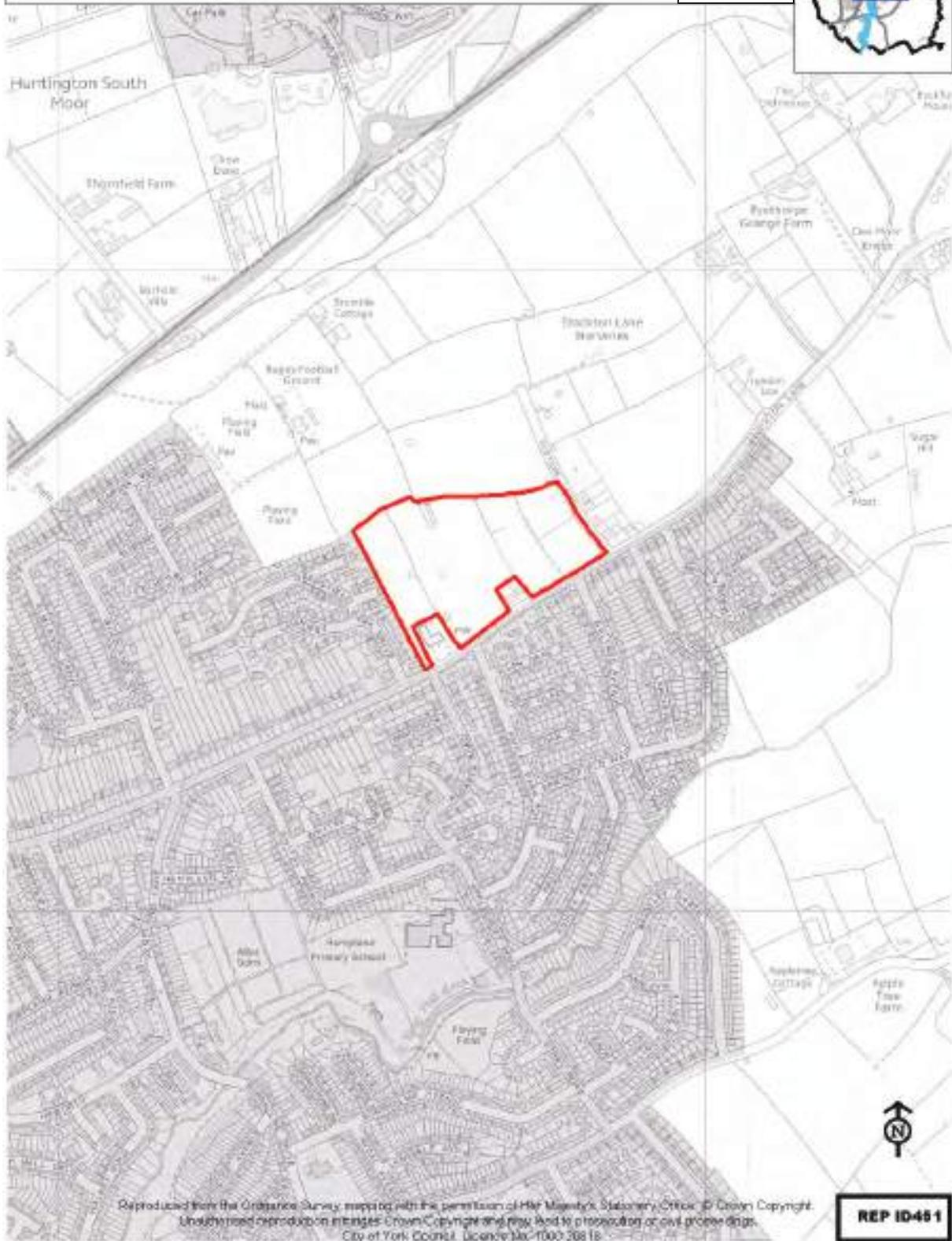
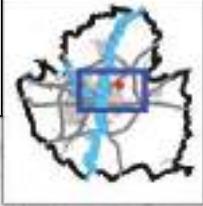
Modification

- 17.4 The inclusion of ST30 and the Wider Site as a safeguarded land site as an alternative to a housing allocation.

Appendix 1 – Site Location Plan

187: Open Pasture Land North of Stockton Lane

ST30



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REP ID481

Appendix 2 – Masterplan



-  PRIMARY VEHICLE ROUTES
-  VEHICLE ROUTES
-  PROPOSED RESIDENTIAL DEVELOPMENT
-  REAR BOUNDARIES TO DWELLINGS
-  EXISTING HEDGEROWS / TREES TO BE RETAINED
-  KEY NODAL SPACES WITHIN DEVELOPMENT
-  KEY DWELLINGS IN PROMINENT POSITIONS
-  PEDESTRIAN ROUTES

- 1** PRIMARY VEHICLE ACCESS POINTS
- 2** ACCESS TO MULTI-FUNCTIONAL CLUBHOUSE
- 3** EXISTING PLANTING AND TREES RETAINED WITHIN THE PUBLIC REALM (SUBJECT TO ARBORICULTURAL SURVEY)
- 4** EXISTING RESIDENTIAL DEVELOPMENT
- 5** BOUNDARY PLANTING RETAINED AND ENHANCED WHEREVER APPROPRIATE (SUBJECT TO ARBORICULTURAL SURVEY)
- 6** ACCESS TO SPORT FACILITIES
- 7** SPORTS FACILITIES ASSOCIATED CLUB HOUSE AND PAVING
- 8** MULTI-FUNCTIONAL CLUBHOUSE

Appendix 3 – Letter from the Hockey Club



City of York Hockey Club

The Clubhouse, Elmpark Way, Stockton Lane, York YO31 0DX

Mr Mark Lane
DPP Planning
Second Floor
1 City Square
Leeds
LS1 2ES

29th March 2018

Without Prejudice

Dear Mark,

Re: Stockton Lane, York – Planning Representations for Residential and New Recreational Facilities

In advance of your forthcoming planning representations to City of York Council for Site ST30 on behalf of Strata and Linden Homes, we have been in discussions with Strata Homes about widening the scope of the allocation to include an opportunity to relocate community sport's facilities for City of York Hockey Club, Heworth Cricket Club and Elmpark Junior Football Club.

To facilitate the move of the sports clubs, further land for housing would need to be allocated to help subsidise acquiring the recreation land and to construct the new facilities, this would include bringing our current hockey club forward for residential use.

Strata has provided a high-level masterplan showing how the scheme might be delivered and we have had a number of conversations with Strata as to how the development would come forward. The club supports the proposal where the new facility is built at the same time as the first phase of the development.

Background to CYHC:

City of York Hockey Club was founded in 1997 as a result of the merger of the two largest clubs in the City of York, York Hockey Club and York Trojans Hockey Club, whose origins can be traced back to the 1890's and 1920's respectively.

With many young girls being part of the youth development policy, the next step was to invite York Ladies Hockey Club to become incorporated in the structure and this took place in 2000.

In 2007, the Club merged with York St John University Hockey Club. This provided students with an opportunity to play weekend hockey at a level which matched their ability.

City of York Hockey Club
Registered Charity Number: 1144544
An England Hockey ClubsFirst Accredited Club
European Hockey Federation Merit Award 2008

In 2016 CYHC and the University of York Hockey Club merged adding further students to its membership.

With 10 men's teams, 7 ladies' teams and a mixed team all playing a combination of league, cup and friendly matches, City of York Hockey Club is now one of the most significant providers of competitive hockey in the North of England, as well as offering opportunities for friendly, social and fun matches through the year.

In addition, there are 19 youth teams who take part in county, district and regional league competitions. During the week, coaching and training sessions take place for senior players and as many as 300 youngsters.

The Club was shortlisted for England Hockey's "Club of the Year" in 2009. In the same year the Club won the European Hockey Federation's Merit Award 2008 which was presented to our Chairman at a ceremony in the Netherlands.

One of the Club's contributors to this success was the running of the Pete Feasby Memorial Tournament where over 30 primary schools in the York area come together to participate.

Current Position:

The club is based at Elmpark Way with a clubhouse, grass pitch and car parking.

Hockey however is played on a five different sand-based synthetic astro-turf pitches, primarily at Huntington School and The University of York.

Built in 1982, the clubhouse is dated, would benefit from upgrading and will shortly require a new roof. The changing rooms are now only used by the cricket club as a result of the hockey being played elsewhere in the city. The multi-use rooms are available for hire for community meetings and events.

As a result of the land being leased to Heworth Cricket Club for another 63 years, it is not possible to build all weather pitches on the existing grounds.

After games, players usually return to the clubhouse with the visiting teams which is an opportunity for socialising and income generation for the club. Clearly this position is less than satisfactory with a number of players and away teams not returning to the club after games because of travel time. This leads to less socialising and mixing opportunities and a chance for the club to gel at all ages/levels. With 645 members, this is a significant wasted opportunity.

Reasons for New Facility Requirement:

- Prior to the creation of artificial pitches for hockey, York Hockey Club had the facilities required to operate in the top hockey leagues, and included England players as members of the club. The lack of modernisation has resulted in the club matches and training being split across a number of widely spread sites with inadequate facilities, which does not allow for the club and its members to reach their full potential in the top national leagues.

- There is no water-based hockey pitch in York, which is required at elite level.
- York is nearing capacity with pitch availability. St John's University are transporting their teams to Harrogate to play their Wednesday BUCS games and on one Saturday last season, York could not accommodate all home games for the club.
- Coaching is hindered physically using various pitches around the city, especially at junior levels where it might not physically be possible for parents to take their different children to the different training sessions on different pitches.
- Indoor hockey is a fast, highly skilled and popular sport yet York does not have an indoor space large enough to hold an indoor hockey pitch. Despite this our talented u18 girls reached the national finals however did not have facilities to train to compete against the southern teams they competed against in the tournament.
- England Hockey have expressed a strong interest in York becoming the centre of excellence for hockey in the North should the facility be built, bringing people from all over the country to York for top level hockey coaching and high profile national and international matches.
- Hockey is regarded as a social sport, bringing together people of a variety of levels and backgrounds but a mutual love of the sport. The social and associated practical side to the club is greatly hampered with the clubhouse being a 10-30 min drive from the various pitches used. Many players and away teams do not return for post match teas, and as a result, some members leave due to the relatively weak social side to the club.
- As hockey is a winter sport, and some parents are put off bringing their children to training when the weather is cold or wet. In providing an adjacent clubhouse, parents would have a warm place to wait, which is a factor in whether to encourage a child into sport.
- To help protect hockey as a sport in the city. A number of all-weather pitches are being converted to 3G surfaces that footballers prefer and hockey can't be played on.
- To embrace the increasing popularity of this historic sport, particularly following the success of the Team GB ladies hockey team following gold at the Rio Olympics and to drive the need for easily accessible sports for all ages and communities.
- The council and the club jointly commissioned an independent feasibility study, which supports the city's need for a new two pitch hockey facility.

Benefits to the City of York:

- It will be home to a regional hockey centre of excellence
- This will increase the number of visitors. Parents with time to spare whilst their children train. Tournament players staying in hotels and visiting the city's attractions. Other hockey facilities in the country aren't in towns that are attractive to international teams and/or don't have the amenities to accommodate them.
- Along with an anticipated rise in standard of the club's first teams, the city's profile will increase, and the club would hopefully produce international players and Olympians.
- Exercise and sport will be developed amongst all age groups:
 - Young children in the indoor and outdoor play facilities
 - Primary school children with development officers and coaches visiting schools
 - Secondary school children being transported for after-school clubs
 - All juniors benefiting from holiday sports' camps
 - Adults playing sport competitively
 - Adults being encouraged to undertake exercise to fit in with their differing working patterns
 - Adults being encouraged into lower tempo exercise, for example walking hockey
 - Encouraging mothers back into sport and exercise
 - Encouraging retirees to partake in sport and exercise
 - Encourage an active life for all in working in their garden.
- Provide a sustainable community facility that will help fund other sports and clubs in the city at no cost to the tax payer.
- Employ a number of coaches and development officers at the club both part time and full time.
- Employ circa 100 people to run the garden centre combined with the clubhouse.
- Provide the possibility of sharing facilities with sports clubs using the nearby Community Stadium facilities.

The Future:

City of York Hockey Club has for over 20 years tried to address the concerns of its Members over how hockey is facilitated and tried to return to a two pitch facility.

The Club has a strong membership base and is a sport which is highly inclusive in respect of age, gender and ethnic groups. The sport itself has recently drawn national attention with the GB Women's Team winning Gold at the Olympics in Rio 2016.

There is a concentrated focus nationally on growing childhood and adult obesity and the benefit that playing sport has on reducing obesity. The club hopes to play their part in addressing this national problem.

Sport brings communities together through shared interaction, shared values, common aims and provides the ability to socialise across demographics and income groups. With the club based on one site, this will significantly increase.

CYHC's players are drawn from across York and a large surrounding area, therefore accessibility is important, both by bus and car. Stockton Lane is accessible from the centre of York via a regular bus and we are also within easy access of the York Outer Ring Road and A64.

In addition to the nearby housing helping solve the city's housing needs, the club would also benefit from new housing nearby increasing the number of families and children who would use the facilities.

Yours sincerely,

David Lancaster
Head of Facilities
York Hockey Club

Appendix 4 – Hockey Club Feasibility Report ‘The Club’s
Future’

CITY OF YORK HOCKEY CLUB

THE CLUB'S FUTURE

An Initial Feasibility Study

Tony Bass

ABass Leisure Ltd

Final Version (2) – March 2018

WITHOUT PREJUDICE – AUTHORS NOTE

The following study in the form of this report, has been compiled from information gathered over the period from May to the end of December 2017, initially based on a Project Brief developed from a scoping visit and meeting held with the Chairman of the Facilities Development Group, the Development Support Officer and Club Treasurer on 19th May 2017.

The report below, including assumptions made and opinions given reflect my understanding and analysis of the information gleaned, which in many cases has been verbal, anecdotal and not necessarily rigorously validated. **The study therefore has been previously considered in its draft form by the Club's Executive and Facilities Development Committee and now has been finalised following a presentation of its key findings and recommendations to a Special General Meeting of the Club on Monday 5th February 2018.** It will subsequently be shared, either in full or in summarised form with key external stakeholders, particularly City of York Council, who have funded the lion share of the work undertaken to date. The final section of the report now introduces the next phase (2) – Project Development.

My work has included and outline critique of the Club's operational and financial arrangements and it is clear that the Club's current size, weekly training and match demands and multi-site nature, appear to completely consume the energies and time of the various committees, coaches, managers and raft of helpers. It is therefore essential that the Club reviews and improves its current operational and organisational arrangements as a priority, to release and if necessary add capacity to be able to take forward any facility development project from this point.

The Club has many able and skilled individuals capable of providing such capacity, but it will require a "call to arms" to ensure they are identified, appropriately allocated and managed to what is a clear three pronged future Club agenda:

- a) Improving the current organisational operation of the Club;
- b) Progressing a clearly defined facility development programme; and
- c) Ensuring both are undertaken in tandem and to reflect the Club's future vision and aspirations.

I consider that based on my time with the Club to date, there is a need to establish short, medium and longer term Club and Facility Development Plans that embraces the above and which will, unless found from within and on a voluntary basis, require funded professional guidance and support to achieve it.

The report highlights issues, options and makes a number of recommendations, which are presented in good faith, but are for the Club to accept, reject or amend to provide its preferred way forward.

EXECUTIVE SUMMARY

1. The City of York Hockey Club (the Club), with the support of the City of York Council (the Council), has undertaken an initial Feasibility Study relating to the development of a Hockey Centre for the city, with the Club as the main stakeholder.
2. The study considers the Club's current circumstances and aspirations for the future, particularly in regard to its own and hockey's future facility needs within the city. Independently led, its conclusions and recommendations are based on the results of a range of internal consultations within the Club as well as with known external interested and related parties, together with a baselining and visioning exercise, a survey and basic analysis of the city's current pitch provision and potential user demand, consideration of a number of facility development options and budget costings, plus an outline of initial funding investigations, business and project planning. The recommendations provide a framework for future work by the Club to be able to convert their aspirations into future hockey and facility development plans.
3. The Club's roots are over 100 yrs old, with a current membership of 645 players, plus a number of officials, coaches, umpires, managers and other volunteers, making it the largest club in the north of England. However, since hockey's move to artificial pitches over the past two decades, the Club's lack of its own pitches has necessitated the use of pitches located across the city, which has created significant hockey activity programming and logistical problems for the Club's management. The current circumstances limit the Club's capacity to develop and secure its future sustainability.
4. The study has therefore identified a number of operational and financial improvements, that through the implementation of a Club Development Plan, devised in conjunction with England Hockey, will provide the springboard for the Club's next phase – to develop a new Hockey Centre to meet theirs and sports future needs within the city and wider area.
5. The outline study of the city's current pitch provision begins to develop the case for a new two pitch (minimum) single site Hockey Centre. However, to ensure its location and composition fully address the future, its development needs to be worked up as part of the Council's emerging wider plans for future sports provision and having due regard for its impact on the emerging new Local Plan. As such, the Club seeks to be an active contributor to this work.
6. The main conclusion from the study is that its historic home at Elmpark Way, Heworth, will need to be used as the core source of funding for the proposed new facility and which will need to be located elsewhere. Having agreed to this principle, the Club is now prioritising investigations as to the potential of this and will review the position again with the Club in Summer 2018.

1. INTRODUCTION

- 1.1 The City of York Hockey Club (the Club) has received £5,000 funding from the City of York Council (the Council) to undertake an initial Feasibility Study relating to the development of a Hockey Centre for the city, with the Club as the main stakeholder.
- 1.2 An additional Project Completion Brief was required and which has been funded directly by the Club. (£2,000).
- 1.3 **Both briefs are attached at Appendix 1** and provide the basis for the work undertaken.

2. BACKGROUND AND RATIONALE FOR THE STUDY

- 2.1 The Club's roots are over 100 yrs old, with a current membership of 645 players, plus a number of officials, coaches, umpires, managers and other volunteers, making it the largest club in the north of England. Ten adult men's and seven ladies' teams play Saturday league hockey during the winter season whilst approx. 400 juniors enjoy a weekly coaching programme and compete in the Yorkshire Youth League, fielding up to 19 junior teams, age ranging from U 10 to U 18yrs. *(Figures as submitted to England Hockey 2017/18 season)*. Having originally formed from an amalgamation of a number of city based clubs, recent years have seen the Club merging with both the University of York and York St. John University.
- 2.2 The Club's historic home is at Elmpark Way, Heworth, where it has its own clubhouse and previously played and trained on two grass pitches. However, since the sport's move to artificial grass pitches (AGP's) over the past two decades, all current matches and training are now reliant on access to various AGP's around the city. Elmpark Way therefore now only caters for post-match refreshments and its wider social activities during its winter season, whilst Heworth Cricket Club play and operate at the site during the summer months, by way of a lease between the parties.
- 2.3 For many years the Club has sought to re-develop its own single site facility, with clubhouse and its own AGP's (a minimum of two), sufficient to cater for its ongoing development and diversification. This model, as demonstrated by many emerging around the country, is proving to be the "best fit" for hockey clubs wishing to cater for the increasing popularity of the sport as well as providing a sustainable operational facility. However, despite the Club's ongoing efforts, no facility development project has so far got past the conceptual stage.
- 2.4 Over the past decade the Club's Facilities Development Committee has pursued a number of potential development options and partnerships, latterly with the University of York, but following the most recent investigations and initial feasibility work, an opportunity has arisen at Huntington School, which is the Club's current main base for its matches and training. Based on this work, **the development of a two pitch (floodlit AGP) facility, with clubhouse, has been proposed as it would meet the majority of the Club's current and future hockey development needs** although recognising that there is still a likely need to use other AGP's within the city, but not being so reliant on them. Such a facility would also help bring the Club "family" back

together and assist in the Club's operational management, as activities can be programmed and resourced easier at a larger main site and logistics simplified by reducing the number of pitches used across the city, reducing travel time for parents and junior players in particular. It will also reduce the variable accessibility and quality/surface type of pitch provision.

- 2.5 This study therefore recognises the Huntington opportunity as its driver, but** it revisits earlier and other new potential options, to ensure this solution is the right one for the Club, prior to investing any more time and resources into any facility development project. It also considers the impact of a new pitch on the city's other AGP's, as if its development is detrimental to their sustainability, it may diminish support from key stakeholders and funders. England Hockey, as the sport's National Governing Body (NGB) are looking for it to provide extended opportunities to access and develop increased participation in hockey, in line with its own strategic direction and priorities. The Council needs to ensure that such a facility not only satisfies the Club's needs but also enhances wider sport and physical activity provision as contributor to community health and wellbeing.
- 2.6 This study therefore includes a range of consultations internally with the Club and with known external interested and related parties; a baselining and visioning exercise with the Club; a survey and basic analysis of current pitch provision and potential user demand; facility development options and budget costings, initial funding investigations, business and project planning. It makes a number of recommendations for the Club to agree or otherwise to move the project on.
- 2.7 The study is initially for internal consideration by the Club, with a view to committing it to a project direction. It will then be shared with others as required to achieve their support to progressing to the next stage of project development.**

3. CLUB HOCKEY CONTEXT

- 3.1 Hockey is currently enjoying year on year growth** due mainly to the recent successes and associated media coverage of the Great Britain Ladies' Hockey Team's gold medal performance in Rio 2016. As such England Hockey has published a new strategy to build on that success, with Club sustainability as one of its key priorities, along with a desire to drive up participation through developing a wider range of ways hockey can be promoted to, accessed and played by the wider population, including from non-traditional sports participants.
- 3.2 The Club is therefore currently working with England Hockey's Regional Relationship Manager, to devise a new Club Development Plan.** This plan will initially focus on agreeing short term (12-18 month's) actions to start to build the Club's wider hockey offer, as well as take the opportunity to review how the Club currently operates and also begins to plan for the medium and longer term potential new future facilities. This work should precede (or at least be in tandem with) the facility development project work, as the future team and player development needs of the Club must determine the facility needs and not the other way around. **Any new facilities will not become reality for at least three years plus, but the building blocks for this can be put in place now.**

- 3.3 The Club has therefore started to devise a new vision for the future which has already been initially considered by the Club as a whole at a Special Meeting on 27th September 2017. This was in the form of a presentation (“New Beginnings”), to over 60 Club members, of my initial thoughts of the Club’s current position and aspirations. **The presentation is attached at Appendix 2.** and which also outlines the current feasibility work as well showing a potential facility proposal (artist’s impression only) possible at Huntington School.
- 3.4 The Club’s current position statement was based on the results of a **simple SWOT analysis of the Club as attached at Appendix 3**, plus information gleaned from a range of internal and external consultations and an analysis of basic Club statistics. **The SWOT analysis highlights what the Club needs to do, including specific actions required to achieve its own further organisational improvements and future facility development. These need to be stated within the emerging new Club Development Plan.**
- 3.4 Through discussion at the meeting, those present recognised where the Club currently is, and expressed their support of the new Vision. They also understood that achieving the Vision would require a collective and collaborative approach across the whole Club. The presentation was subsequently put on the Club’s website for wider awareness and feedback. A number of individual supportive comments have been received since.
- 3.5 Fundamental to the Club’s future is an improvement of team performance and ensuring players play and develop to their full potential. **With this in mind, the Club does not currently have a tangible Hockey Development Plan** and associated policies and practices that focus on this area, although there is general expressed anecdotal support for a review of the Club’s current approach to hockey matters.
- 3.5 Commitment to the development and implementation of a Hockey Development Plan will establish Club’s policies and approaches to player and competitive team growth, selection, junior transition to adult hockey, coaching, umpire, officials and volunteer development, links to schools and England Hockey’s player pathway. It will also recognise that the “noisy” expressed dissatisfaction with current pitch arrangements may be improved by better planning of “on pitch” activity, as simply assuming that nothing can be done until a new two pitch facility arrives, is not necessarily the case. **Addressing this will also demonstrate and result in improved hockey outcomes both in terms of performance on the field and individual player development but will require a lead Development Officer post to be established to devise it in conjunction with the Club’s current coaching team.** It should also consider whether this post is funded as it may require skills not currently available either from within the Club or on a voluntary basis. A successful and sustainable club is often largely influenced and driven by the success and level played at by its senior adult teams, which generates further success and club harmony at the lower team and junior levels. **Currently the Club’s senior adult teams are not achieving at previous levels and there is discontent and uncertainty as to how to reverse the current downward trend.**
- 3.6 The Club currently “feels like” a traditionally based club focussing mainly on weekend league and junior match play, supported by weekday training and coaching programmes. As referred to above, hockey as a sport has wider appeal as a physical activity and therefore it is important to

understand who is currently part of the Club and whether the Club's activities are attractive to and reaching out to the wider community.

- 3.7 As previously stated, the Club is the largest in the area, but is currently unclear as to what an optimum size should be. Annual membership figures submitted to England Hockey over the past five years show a varied picture of membership/participation across the age ranges. As expressed by England Hockey, although the Club is well supported and strong, particularly at the upper age ranges, they are concerned that, when compared with other clubs of comparable size, the junior membership level between five and 13yrs, is relatively low, particularly when considering the size of the city as a whole (approx. 200,000 population). **A table of the submitted membership figures is attached at Appendix 4** and includes a traffic light system that highlights the findings.
- 3.8 **Although the Club considers that its junior activity is buoyant, the figures indicate that this is an area for development and which is also supported by the city's (East) School Sports Network Officer, who states that hockey in state schools generally lacks teaching and coaching expertise and capacity and local competition is not as extensive as it could be.** Based on an initial review of junior membership it indicates that of the 44 schools represented in the junior membership, only 10 are from private schools but account for over half of the total. It is considered that the private school sector is strong in terms of hockey activity and pitch provision within the city and tends to cater for their own needs. **However, the Club could and should consider how it could increase its influence in state school provision as it will not only provide increased hockey opportunities, but also a greater potential catchment for its junior membership.**
- 3.9 I suggest that this area of focus for the Club would be beneficial as it will be a key factor in its future development as these younger aged players will become the adult players and officials of the Club in future years. In line with the Club's Vision, the "family" aspect of the Club is at its heart and there are many families who are represented across several generations. **This work could also fall within the remit of the proposed lead Development Officer.**
- 3.10 **Having detailed and accurate information about the membership composition of the Club is an essential basic requirement to understand the Club's current make up.** It will provide the baseline to assist in shaping the scale and extent of any proposed hockey development initiatives. **Currently this area is probably the most pressing as an urgent requirement to redress as without it, "making the case" for future investment in the Club and particularly any proposed new facilities, is impossible without demonstrating its impact on membership/participation numbers & composition.** The information also needs to be extended to the provision of umpires, coaches, managers and other volunteer helpers, to be able to determine any increased numbers of (and at what level) are required to service any increased activity.
- 3.11 **The Club does have details of such information, but it is not centralised, detailed nor sufficiently extensive to provide a robust baseline.** There are several bespoke website suppliers with integrated membership and payments packages that are capable of capturing all the Club's information needs. It is not clear whether the existing website/system is such a system, but it's or others' use should be prioritised to enable a more robust information base to be achieved for

the next season. The next annual membership renewal process provides an opportunity to establish this. **Collating this information in the meantime is currently ongoing.**

4. PITCH SURVEY AND ANALYSIS

- 4.1 The preference by the Club for the provision of a two pitch facility at a single site is not unique. There are many examples of this model that have been developed over recent years, no more so than at my own club in Bury St. Edmunds in Suffolk, where the Club is now in its second season of operation at a nearby private school, the Club having built a second pitch alongside its existing one. As a consequence, the Culford Hockey Centre is servicing both the needs of the Club and school. The Club is now re-uniting as players and supporters now enjoy a much more developed hockey programme, with the added advantage of a social facility attached. It has also introduced three more adult teams (now 11 in total), extended its junior coaching offer and now hosts numerous regional hockey tournaments and a Performance Centre. **There is no reason why their process and success cannot be matched at a similar York based facility.**
- 4.2 Whether such a facility requires a single additional pitch (adding to an existing facility) or two new pitches, the impact of the Club's aspiration to develop one needs to be assessed. This will assist in securing key stakeholder and funding support. However, such a facility will impact on the existing six hockey accessible pitches within the city. It may be the case that, arithmetically there is insufficient additional demand for any further pitches but the issues of improved accessibility, programming, financial sustainability and easier management for the Club may outweigh this. This is an important factor in justifying the need and benefits of any new facility. It should be noted that currently there are no single site two pitch facilities within the city which in terms of providing a venue for tournaments at a local or higher level, including for schools, is current deficiency which should be built into the projects case for provision.
- 4.3 A survey and analysis of the current pitch provision within the city was therefore undertaken to ascertain the current levels of use as well as identify any future plans by the respective pitch providers. It should be noted that a more extensive process is currently being undertaken by the Council as part of their development of a refreshed Playing Pitch Strategy. This briefer survey will therefore inform that process and ultimately be recognised within it.
- 4.4 In this current 2017/18 season the Club currently enters 10 adult men's and 7 ladies' teams into the local/regional leagues on Saturdays during the winter season and offers once weekly midweek evening training for teams (1/2, 3/4 and 5+ for both men's and ladies adult teams). The junior programme comprises once weekly midweek evening training for u 10, 12, 14 and 16 yrs. Yorkshire Youth fixtures are staged on Sunday mornings, at various venues across Yorkshire, including in York, generally fitting around England Hockey's player performance calendar.
- 4.5 The current weekly pitch hours used by the Club across all ages is 13.5 for weekend matches, 22 for mid-week training and three are for the York based Yorkshire Youth League (although these are not every week in York). Totalling 38.5 hours, this is currently catered for at Huntington school (22.5 hrs) Univ. York (11) Energize (2) and Vale of York (3). **The location of the city's hockey AGP's, along with the Club's home clubhouse site, are mapped at Appendix 5.** It should be noted that travel times between pitches and the clubhouse can often be in excess of 30

minutes, which causes training and coaching programme issues and often sees away teams not return to the clubhouse for post-match refreshments.

4.6 The Club's current Match and Training Programme is attached at Appendix 6 and also includes a proposed future Match and Training Programme, which ideally the Club would work towards now if it could be logistically managed. At its core it includes the addition of a second training session for the top adult teams, introducing after school junior sessions and a goalkeepers' academy. **This requires approx. a further 18 hours of pitch time.** In addition to this core requirement, there is also a wish to develop family centred multi-age range sessions as well as extend the range and scale of the hockey camp and tournament programmes. (NB. Programming Club and other pitch use is generally outside normal school hours ie. weekday evenings and weekends). This programme requires further development but provides a basis to identify its capacity requirements.

4.7 The survey therefore considers whether there is current capacity to achieve the preferred programme and whether the current pitch sites and pitch provider's aspirations could deliver the Club's two pitch requirements through a facility development project. It included a site visit (where possible) plus dialogue with the relevant bookings, business or sports managers. **The findings and analysis of the current six accessible hockey pitches in the city is attached at Appendix 7.**

4.8 Current use - The survey analysis demonstrates that the existing Huntington School pitch is currently at capacity through its use by the Club and its other users. (NB. The school site is the nearest to the Elmpark Clubhouse and is currently the Club's main pitch site). University of York is the current preferred second site as it has a good standard pitch and changing facilities. However, it has no further capacity for matches or training and is costly. Energize has capacity for training but not Saturday match day use, is the furthest away and difficult to access, the changing rooms are poor and currently the pitch is due for renewal in 2018. However, it is the best maintained pitch in the city (anecdotal Club view). It is also the home to Acomb and Tadcaster Hockey Clubs, who between them currently utilise the pitch fully on the key Saturday match day. There is an expressed wish that all the Clubs continue to remain independent of each other. Vale of York Academy has capacity but the pitch is not well maintained nor particularly favoured by the Club. Although Manor C Of E Academy has capacity it is generally focussed on football use and is likely, although not confirmed, to be converted to a Football specific 3G as it is very close in proximity to Upper Poppleton, which has a significant sized and growing football demand. St. Peters School has no current capacity. The 2017 conversion of the York St. John pitch to football, has currently stopped any use of what is the most logical and closest facility to the Club's home and current main pitch base.

4.9 Future capacity – Based on initial discussions with the various pitch providers there are no current "live" plans to build any further pitches at their sites, although St. Peters School have an expressed wish to do so in the future. Planning permission for a new hockey pitch at Bootham Junior School was granted in August 2017. However, it is not known as yet if any third party availability will be forthcoming because as with St. Peters School, their own school needs are priority. There is also the potential for the conversion of the Manor Academy pitch to football,

which would result in a further loss of pitch capacity. There are therefore no current “live” options for a two pitch facility.

- 4.10 **Based on above it is reasonable to assume that although there may “on paper” be some capacity within the city to cater for the Club’s pitch current needs, the dispersed locations, variable accessibility and difficulties in matching these to the hockey programme and coach availability, even with improved planning by the Club, will not satisfactorily cater for current nor the expanded future needs.**
- 4.11 **The strategy to develop a two pitch facility therefore has merit as the preferred option** as it will not only provide the capacity and accessibility to meet the Club’s core needs but also retain the scope for hockey activity to continue to develop across the city utilising the other pitches which are all on school or education sites and which were fundamentally provided to meet their educational needs.

5. HOCKEY CENTRE DEVELOPMENT – CHOOSING AND ACHIEVING THE RIGHT OPTION

5.1 The driver for a new “Hockey Centre” is clearly the Club’s own immediate and future needs and therefore they need to be the lead and key partner in progressing any future facility development project.

5.2 This study therefore aims to focus the Club on a facility development strategy that ultimately delivers the right facility within an acceptable timeframe. Such a strategy therefore needs to explore a range of potential options, one or more of which will need the Club to commit to, prior to any further investment of time and funds being allocated to project development.

5.3 Meetings were arranged with representatives from the existing known potential Hockey Centre partners to advise them of the study and to formally consult with them. These included Huntington School, York St. John University and the University of York. **Summaries of the consultations are attached at Appendix 8.**

5.4 Huntington School have expressed a continued commitment to further explore the project and a degree of more detailed feasibility work has commenced. (This includes outline pitch and clubhouse designs and budget costings and agreeing the principles of the partnership with school). York St. John University are interested in a closer partnership based on further development of the student offer plus linking with the Huntington School project if progressed further, including a potential for re-provision of a hockey pitch at their Haxby Road site if future demand warrants. The University of York have aspirations for a provision at either of their existing sports sites (Sports Centre and Sports Village), but this is subject to inclusion within their current major asset and sports review. I have not been advised of any specific progress in this regard as yet.

5.5 The potential to include the Club within the proposed two pitch facility at St. Peter’s School has yet to be formally acknowledged. There is an opportunity to consider whether the proposed new hockey pitch at Bootham Junior School in conjunction with the neighbouring Vale of York Academy existing pitch could be developed as a two pitch facility site. However, this has not been broached with either party.

5.6 Beyond the above the Club needs also to consider the potential of its existing Elmpark Way site to be redeveloped to provide a new two pitch facility or indeed whether there is an appetite for a more radical option involving releasing that site to generate funds either to support any of the other options above or to provide a completely new facility on a new site. Finally, there is the option to do nothing, but to continue to operate under the same multi-site arrangements.

5.7 **The basis and the “pros and cons” of these options are outlined as attached at Appendix 9, including an opinion as to their suitability for further feasibility work. My initial views are:**

I have discounted Options 1 (status quo plus £50k for clubhouse improvements) and 2 (two pitch facility at Elmpark way - £1.4M incl. £100k clubhouse improvements) due to their lack of improved outcome and feasibility respectively, whilst Option 5 (Universities and St. Peter’s School), although valid in continuing to monitor, currently provide no realisable solutions at this time.

Option 3 (developing Huntington School, with its potential of two versions: single pitch - £650k); Pitch plus equipped clubhouse extension - £1.35M) is currently considered as the most practically achievable, flexible, least costly and can be delivered in the shortest timeframe (3-5 yrs). However, based on the increasingly pressurised funding and grant aid environment, delivery is likely to require an extensive multi-faceted funding campaign which may also require the option to release of the Elmpark Way site to realise funds to support the two pitch and clubhouse provision.

Option 4 (developing a new multi-sports facility at a site away from Elmpark Way: two pitches plus new shared equipped clubhouse - £2.5M plus potential two new cricket pitches & larger clubhouse £1M), through achieving maximum funding through its release for housing, provides a significantly more impressive solution, but with a longer term (5 yrs plus) delivery, a much more complex and costly project development, is reliant on partnering with other sports, has the highest risk of delivery failure, but has the greatest beneficial return both in terms of scale and scope of facility provision and financial sustainability.

NB. All figures quoted are nett of VAT. A review of the current charitable status of the Club is required to ascertain the most preferential financial model ie. VAT minimisation, to be in place to accommodate the facility development project.

5.8 **Based on the above I suggest that both Options 3 and 4 are initially further explored, but to do so the Club must agree to the principle of releasing the Elmpark Way site as its financial contribution is sufficiently important, whichever option is ultimately delivered.** In taking this view of Elmpark Way, it is based on an assumption that its historic/emotional value as the Club’s original home, is now not critical as the Club’s evolution over time has diminished its importance.

6. MOVING TO THE NEXT PHASE – PROJECT DEVELOPMENT

6.1 **If the Club accepts the challenge of taking a facility development project forward from this point, it will need to agree a leadership model, a project management organisational**

structure, commit some of its existing funds for further project development and fully engage its members in the process, particularly fundraising (more later).

- 6.2 **The proposed two option project strategy will require careful management** as fundamentally Huntingdon School may find it difficult to engage from this stage if there is a chance that ultimately the Club go elsewhere. **This therefore is likely to require the Club to undertake and probably fund all feasibility work associated with that option.**
- 6.3 **Progressing Option 4 further is a completely different feasibility scale and model as it is effectively at the project inception stage and I suggest will require a separate more specialised team to develop it further.** This is because its success will be significantly reliant on influencing the planning process, which is complex and political, whilst also it will only gain any traction if a housing developer is sufficiently attracted to the potential of the Elmpark Way site and is prepared to initially expend feasibility funds and subsequently secure an option on the site.
- 6.4 **I suggest that to move the study to the next stage (project development) will need the appointment of a Project Manager.** This person will provide the overarching co-ordination of this next project development stage and ideally take the project through construction and to completion. **The Club therefore need to determine who this will be and how it will be funded.**
- 6.5 I have had an initial meeting with the Club's Treasurer to ascertain the capacity of the Club's existing resources to fund project development costs and from my own previous experience, **I suggest a figure of £25,000 should initially be allocated from the Club budget at this stage. For clarity, this is not for professional fees associated with a construction project (as they will be included in the Project Budget) but will cover initial project manager costs (subject to rates chargeable) ideally working approx. 1 day/week to drive the project forward.** I suggest this will cover the next 12 months but will extend to year two if the actionable work is mainly undertaken on a voluntary basis by relevant Club members. (This has been proposed based on the recent experience of the feasibility study whereby information and allocated tasks were not completed in a timely manner or indeed at all). **This also assumes the Project Manager will be professionally based but there could be someone from within and available to the Club to offer such services on a voluntary/pro bono basis.** Strong project management and task completion are essential to meet deadlines and maintain momentum.
- 6.6 There will be other potential project development costs, varying dependent on which option, but include pre-application advice (COYC), planning drawings (could be pro bono), Planning application (£2,500), legal (third party costs only if Club side pro bono) etc. **There are already a number of identified Club members who have such skills. Whether they are prepared to commit to this work, requires the Club to ask**
- 6.7 Looking at the Club's finances, it has historically (until last year) made small annual profits, which over the years has enabled a reserve to build up. **Together with the current level of ongoing bank balances there is sufficient funding that could be allocated (at risk) to fund this work, assuming the Club's current annual trading performance is at least maintained if not improved.** The latter being a specific priority in any event. It should also be incumbent on the Project Manager to seek external funding to reduce this liability.

- 6.6 The meeting also included a piece of work to develop **an indicative consolidated annual operational trading budget based on 2016/17 figures as attached at Appendix 10.** This work requires further development, but as a baseline it highlights that although an operational profit (of potentially up to £17,000) can be generated annually (mainly due to the high number of teams contributing match fees and despite paying for all pitch use to external providers), the Elmpark Way club house and premises cost's significantly outweigh income generated at the site, **thus reducing the Club's overall profitability by approx. £7,000 annually to a potential £10,000 annual surplus.** NB. This is only based on 2016/17 performance so is indicative rather than a robust business analysis.
- 6.7 **In summary, the Club has the financial capacity to commit to further project development. However, this will utilise the historic reserve previously allocated to the original facility development project aspiration.**

7 PROJECT FUNDRAISING

- 7.1 It has to be said that although there have been some historic funds allocated to a future facility development project, **there has not (until very recently) been any significant ongoing project fundraising campaigns.** For clarity, this does not include any fundraising and/or sponsorship undertaken to support the Club's day to day activities. (It should be noted that is also not happening in any significant way).
- 7.2 The funding requirements vary depending on which option is developed. **However, the minimum to be generated is £750,000,** based on a single pitch development with associated external works, fees and VAT. Other options obviously increase the requirement but at this stage **a funding strategy and pro-active fundraising campaign are required to be implemented as a matter of urgency** as this will not only demonstrate the Club's new commitment to achieve a new facility but will also indicate the actuality and/or potential timeframe of its delivery.
- 7.3 There are many funding opportunities including Sport England and other National Lottery based schemes, hockey specific funding, local authorities, charitable trusts and foundations, landfill, crowd funding, business based community funding, philanthropic beneficiaries plus loan options. All of these have specific criteria and timeframes and therefore **the Club's embryonic fundraising committee need complete their current researching of these and commence an application regime.**
- 7.4 Although this approach is essential, with the current government priority focussing on inactive people rather than specific sports facilities, together with the huge over subscription for such funding, the Club needs to be realistic as to the level of funding likely to be achieved through this route. **I suggest a target of £200,000 may be appropriate as an initial target.**
- 7.5 The Club itself has a current significant database of adult players, parents, volunteers and supporters, together with many past members and contacts connected to the club. I suggest that **a specific Club generated fundraising regime is developed to capture these with a target of £50,000.** The scheme may also include loan/community share options as alternatives to specific donations and/or gifts.

7.6 The Council is a key stakeholder in regard to funding although at this stage it is understood that there is only limited current planning related funding (Section106) potentially available to support the project. **I suggest a maximum of £50,000 is realistic.** However, their funding support may increase through their Community Infrastructure Levy (CIL) funding scheme although their distribution process has yet to be implemented.

7.7 **This therefore leaves a significant short fall (£450,000) that requires further consideration as to how sufficient funding could be achieved.** Options include the identification of potential “high level” benefactors, particularly but not necessarily associated with the Club, should be explored. The Business Plan may also provide an element of funding to support any loan repayments, although this has not as yet been developed.

7.8 The realisation of funding from the release of Elmpark Way through housing development is clearly the most financially efficient as it could generate upwards from £500k/acre x 5 acre site (hockey & cricket) = £2.5Mm. It could therefore could potentially fund Option 3 in its entirety, including relocating the cricket club if required, plus secure the Club’s long-term financial security if higher land sale rates are achieved. It could also fully fund Option 4 assuming a suitable and affordable new site could be found to accommodate both Hockey and cricket needs. The option is enhanced further if bring other sports on board ie. the adjacent rugby league club. Creating a new multi-sports venue would move the status of the project to a strategic level and demand significantly closer work with the Council to maximise its potential as a strategic offer for the city as a whole. For the purposes of this report its potential is recognized, but cannot be relied on at this point as it is currently purely conceptual. As referred to above, **a specifically focussed specialist skilled group needs to investigate this option over the next six months, prior to its funding potential being considered any further.**

7.9 Pre-requisites for any funding applications include, normally in outline, a project description, demonstration of need, expected outcomes, project costs, business plan and timeline. **These need to be informed by the previously referred to Club and Hockey Development Plans and further developed to enable them to be used for the above.** At this stage they are not even at the complete baseline stage.

8 KEY STAKEHOLDER ENGAGEMENT AND SUPPORT

8.1 **The Club’s ambition to deliver a new facility is reliant on achieving key stakeholder support. There is firstly a fundamental need for the Club itself to support the proposed future facility development plans** which are emerging from this study and in particular they need to support the study’s proposed recommendations and empower the Executive Committee, supported directly by a reformed Facilities Development Group, to proceed to the next phase – project development. **The meeting on 5th February 2018 addressed this.**

8.2 **As part of the study I have consulted with, who I consider to be, the two most important external stakeholders** - England Hockey as the sport’s National Governing Body and the Council as the Local Authority with responsibilities for planning, public health, strategic sport, community wellbeing and also potential funder.

8.3 It is my current belief that England Hockey will, and should be encouraged to, assist in supporting the Club's essential modernisation and improvement programme, through their officer support the with the emerging new Club and Hockey Development Plans. They will also need to support the Club's ambition and the justification for the proposed two pitch facility, in the event that there is no/limited strategic hockey need identified in the forthcoming city wide Playing Pitch Strategy (which together with a Built Facilities Strategy, is currently being refreshed by the Council). **They do not have any capital funds available to support the project but do have specific hockey development focussed funds.**

8.4 **The Council's existing two strategies as above confirmed their original support of the Club's project and which should be reinforced in the new versions, subject to their support of this study and its recommendations,** as evidence of real progress in achieving delivery. Outside the planning process, **the Council's strategic sports interest needs to be captured by the proposed Option 4 project.** As a multi-sports venue this may be able to support any identified deficiencies emerging from their strategic work and therefore change its status to a strategic level, rather than the current single club offer. **Until a project outline is developed, with agreed partners on board from other sports, this option cannot be promoted beyond its current conceptual stage.**

8.4 It is envisaged that subject to the Club agreement to proceed, that the work with these two stakeholders will be prioritised. In addition, initial discussions have been held with Sport England (Planning) and the local School Sports Network Officer (Hockey Development). Consultation work is ongoing

8.5 **Summaries of the meetings/consultations with Club representatives, key and other related stakeholders that have contributed to the report's content are attached at Appendix 11.**

9 RECOMMENDATIONS

9.1 Based on the report's content and findings (in report order) the following recommendations are proposed:

The Club commits to:

- a) **Undertaking a review and implementing an improvement plan in regard to its current operational and organisational arrangements, to release and if necessary add capacity to be able to take forward the facility development project from this point – completed by end May 2017;**
- b) **Establishing a lead Development Officer post (voluntary or paid – to be determined subject to availability) to oversee, co-ordinate and improve hockey outcomes both in terms of performance on the field, individual player development and supporting state school coaching and tournament provision – in post by end June 2017;**
- c) **Reviewing and renewing if required, the current website, membership and payments system to enable full membership information to be centralised and controlled by a designated webmaster, to ensure the necessary membership composition information is captured and kept updated at all times – by July 2017;**

- d) **Maximising the use of the website and social media to develop a more comprehensive communications system throughout the Club – by September 2017;**
- e) **Supporting the further project development of both Options 3 and 4 to enable a final decision as to the preferred facility project to be made - by August 2017;**
- f) **Agreeing the principle of releasing the Elmpark Way site if and as required to provide the necessary funding to achieve the delivery of the new facility, whichever option is chosen and engaging with the Cricket Club forthwith to establish an exit plan – by end April 2017;**
- g) **Establishing a specific, specialised team forthwith plus any funding as required (subject to approval), to fully investigate Option 4 including engaging with the Council’s planning team and external commercial interests as required – by end July 2017;**
- h) **Allocating, from existing Club funds, an initial project development budget (of £25,000 to support the Option 4 work plus cover the appointment a designated Project Manager for a minimum period of one year, based on approx. 1 day/week to drive the project forward and who will seek to reduce this liability and/or gain additional funding to reduce this financial liability – by end February 2018;**
- i) **Reviewing the current charitable status of the Club to ascertain the most preferential financial model ie. VAT minimisation, to be put in place to accommodate the facility development project – May 2017;**
- j) **Developing and implementing a funding strategy, pro-active fundraising campaign and grant application regime forthwith, to raise specific funds (initial target £300,000) for the facility project – initial pledges in place by end July;**
- k) **Identifying and developing a funding strategy that will address the current funding short fall (£500,000) – by end April 2018;**
- l) **Completing the Club and Hockey Development Plans as required to reflect the Club’s overall modernisation, improvement and facility development plans – by end March and April 2018 respectively;**
- m) **Accepting this report and study as the basis for the future facility development approach to be further developed by the Club.**

10 RISK

- 10.1 A risk analysis is to be developed but at this stage they are all significant ie. lack of Club support and engagement, failure to achieve funding for option 3, failure to achieve Option 4 requirements – planning, housing developer interest, sports partners, alternative affordable

sports site etc. **The project currently has many high risk factors which will need considered actions to mitigate against project creep and/or failure.**

11 PROJECT PLAN and TIMELINES

11.1 **Agreeing a way forward** – The draft Feasibility Study was presented to the Club at a Special General Meeting on Monday 5th February 2018. **Presentation attached at Appendix 12.**

11.2 In summary, the presentation outlined the work undertaken and key findings and recommendations of the study, plus made two key proposals:

Firstly; to commit the Club to a programme of improvement by the implementation of a Club Development Plan as devised in conjunction with in England Hockey; and

Secondly; to confirm whether to proceed further, or not, to identify and develop a new home away from Elmpark Way to realise the Clubs facility aspirations.

11.3 **The meeting (which was also supplemented by a Club wide consultation) confirmed its commitment to a Club Development Plan and unanimously agreed that “The Club actively pursues a new site” (including options 3-5), not closing any door at this time but requiring more club funds to be used and to review the position in 6 months”.**

11.4 As a consequence of the above, the implementation of the required actions has now commenced **and importantly the Planning Group has been formed and is prioritising the identification of potential developers of the Elmpark way site and suitable new sites, to be able to formally submit a representation to COY Council as part of the current Local Plan Consultation period ending 4th April 2018.**

11.5 The Club is due to be updated on progress at its AGM on 24th May 2018 and subsequently at a Special General Meeting set for 12th July 2018.

12 CLOSING STATEMENTS

12.1 This feasibility study has been developed in advance of COY Council’s Built Sports Facilities and Playing Pitch Strategies’ refresh and therefore the Club now seeks to engage fully with the Council to ensure it’s facility aspirations can be included as part of any emerging strategic facility and pitch provision considerations.

12.3 It should also be noted that since the publication of this document there is now an opportunity for the Club’s facility to be developed as an England Hockey Performance Centre for North Yorkshire. An aspiration that previously was not available to the Club.

APPENDICES

- 1. Project Briefs**
- 2. “New Beginnings” Presentation – already issued**
- 3. SWOT Analysis**
- 4. Membership Trends, coaches and umpires**
- 5. AGP’s Locations**
- 6. Current and Future Hockey Programmes**
- 7. Pitch Survey**
- 8. Consultation Summaries – Potential Pitch Partners**
- 9. Facility Options**
- 10. Consolidated Financial Trading Account**
- 11. Consultation Summaries – Key and other Stakeholders**
- 12. Club SGM 5-2-18 Presentation of Feasibility Study.**

TB March 2018

Appendix 5 – Technical Officers Assessment of ST30

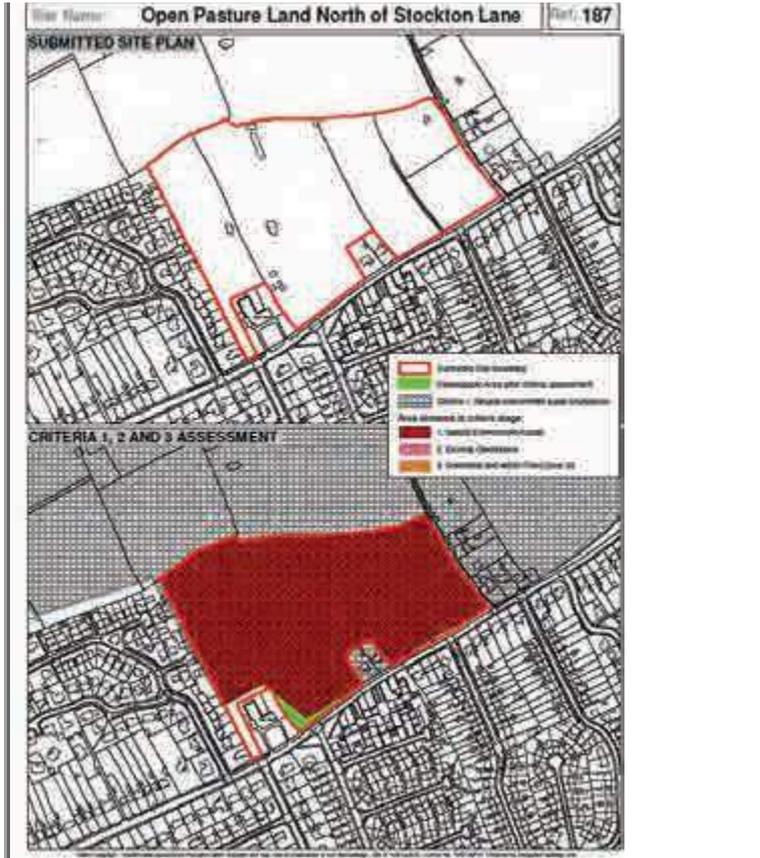
Criteria 1 to 4 Analysis

Site: 187

Land N of Stockton Lane

Source:
Previously
Rejected Site

Submitted For: Housing



Submitted Size 5.916333023 Ha

Technical Analysis

Evidence/Mitigating Factors

Criteria 1 - Primary Constraints

Flood Zone 3b:	No
Historic Character:	Part
Ancient Woodland:	No
Regional GI Corridor :	No
National Conservation:	No
SINC:	No
Local Nature Conservatio	No
Site Size Remaining:	0.283423537

Floodrisk Evidence:	N/A
Landscape Evidence:	Yes
Habitat Evidence:	N/A

Pass

Criteria 2 - Openspace

Openspace:	Adj
Site Size remaining:	0.283372522

Openspace Evidence:	N/A
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Pass

Criteria 3 - Greenfield 3A

Greenfield/Brownfield:	Greenfield
Greenfield Within 3a:	No
Site Size Remaining:	0.283372522

Floodrisk Evidence:	N/A
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Pass

Criteria 4 - Residential Access to Services

Stage 1 Pass

Pass

Pass Criteria 1234 - Move to Technical Officer Comments Stage

Technical Officer Assessment

Site: 187

Land North of Stockton Lane

Submitted For: Housing

TRANSPORT

There is some public transport on Stockton Lane which would require upgrading for this scale of development; Transport Assessment required which may highlight the need for infrastructure improvements.

Amber

GEO-ENVIRONMENTAL CONSIDERATIONS

Contamination: No particular concerns regarding land contamination at this site. However, the developer must undertake an appropriate assessment of the ground conditions.

Green

Air Quality: Standard air quality requirements and electric vehicle recharge infrastructure.

Green

Noise: No noise issues.

Green

Flood Risk: This site is greenfield land therefore runoff rates must be 1.4 l/sec/ha. This site is located in flood zone 1.

Green

Ecology: Site incorporates largely improved grassland. A phase 1 habitat survey needed.

Amber

HISTORIC ENVIRONMENT, LANDSCAPE AND DESIGN

Heritage/ Archaeology: There are large areas of ancient ridge and furrow within the site together with earthworks. An archaeological desk based assessment and evaluation will be required to identify archaeological features and deposits.

Amber

Landscape/ Design: The site lies opposite the built eastern extent of Heworth and Pasture Lane clearly defines the eastern edge of the site. The northern side of Stockton Lane is characteristically punctuated with individual/small groups of properties, farm tracks and Lanes, one of which is Pasture Lane. The site contains a number of hedges marking a small field pattern, supplemented with a number of small ponds. The site would lessen the distance between Heworth and Malton Road, possibly impacting on the setting of the city. Development would come level with properties on Greenfield Park Drive, which are visible from Malton Road. A detailed landscape and visual appraisal is required and amendments to the site masterplan would be required to ensure that development is set back from the road frontage

Amber

Openspace/ Recreation: On site provision of openspace required.

Green

CONCLUSIONS

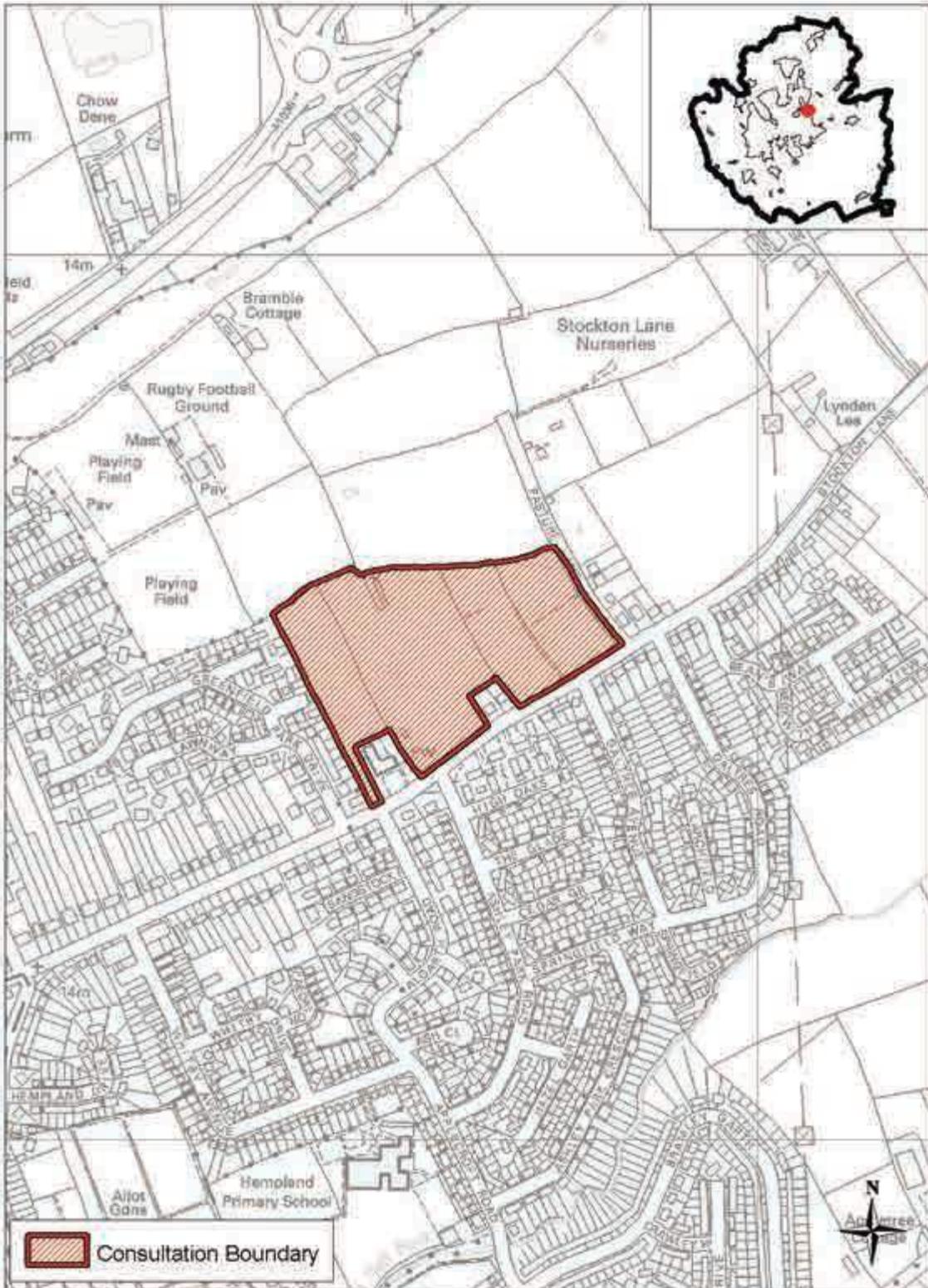
Summary: There are large areas of ancient ridge and furrow within the site and an archaeological desk based assessment and evaluation will be required. The site lies opposite the built eastern extent of Heworth and Pasture Lane clearly defines the eastern edge of the site. The site contains a number of hedges marking a small field pattern, supplemented with a number of small ponds. The site would lessen the distance between Heworth and Malton Road, possibly impacting on the setting of the city. Development would come level with properties on Greenfield Park Drive, which are visible from Malton Road. It is felt that the site is potentially suitable for development subject to a detailed landscape and visual appraisal and amendments to the site layout to ensure the development is further set back from the road frontage.

Amber

Outcome: **Passed Technical Officer Comments**

Amber
Page 64

Site ref: 187	Site Name:
Allocation Ref: N/a	Land to the North of Stockton lane



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Site size:	5.9 ha	Indicative Amount:	165 dwellings
Recommendation:	To include the site as a strategic site for residential development within the Local Plan		

Appendix 6 – Sustainability Table

	Housing	Health	Education	Economy	Equality	Travel	Climate Change	Biodiversity	Land	Water	Air Quality	Flooding	Heritage	Landscape				
ST12	++	++	-	n/a	+	+	+	0	--	--	0	0	-	-	-	0		
ST13	++	++	+	n/a	+	+	+	0	--	0	0	0	0	0	0	0		
ST14	++	-	-	n/a			+	0	--	--	0	0	-	--	-	--		
ST15	++	--	-	n/a			+	-	-	+	-	--	0	0	-	--	-	--
ST30	++	+	+	n/a	+	+	+	0	--	--	0	0	-	-	-	-	-	
ST31	++	++	-	n/a	+	+	+	-	--	--	0	0	-	0	-	--	--	

Appendix 7 – Lichfields' Technical Report on Housing Issues

City of York Local Plan Publication Draft

Technical Report on Housing Issues

Linden Homes, Taylor Wimpey UK Ltd, Persimmon Homes, Strata Homes Ltd and Bellway Homes

March 2018

LICHFIELDS

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1.0 Introduction

- 1.1 Lichfields has been commissioned by Linden Homes, Taylor Wimpey UK Ltd, Persimmon Homes, Strata Homes Ltd & Bellway Homes [the Companies] to undertake a review of City of York Council's housing requirement and housing supply that has formed a key part of the evidence base to inform the City of York Local Plan Publication [LPP] Draft Consultation (March 2018).
- 1.2 Specifically, this report updates our September 2017 Technical Report on Housing Issues and provides a critique of the Objective Assessment of Housing Needs [OAHN] set out in the City of York Strategic Housing Market Assessment [SHMA] Assessment Update (September 2017, prepared by GL Hearn) following previous representations on behalf of the Companies on the 2016 SHMA and 2016 SHMA Addendum.
- 1.3 It also provides high level comments on the Council's housing land supply based on the evidence set out in the following documents:
- 1 The City of York Strategic Housing Land Availability Assessment [SHLAA] (September 2017);
 - 2 The City of York Local Plan Publication Draft (March 2018);
 - 3 Half Year Housing Monitoring Update for Monitoring Year 2017/18 (1st April 2017 to 30th September 2017); and,
 - 4 The City of York Windfall Allowance Technical Paper 2017 (SHLAA Annex 5).
- 1.4 Lichfields considers that on the basis of the contents of this report, the City of York Council is not providing sufficient land to meet the housing needs of the City and further sites should be allocated for housing development as part of the emerging Local Plan.
- 1.5 The remainder of this report is set out as follows:
- 1 **Section 2.0** - This section considers the approach which needs to be taken to calculating Objectively Assessed Housing Need [OAHN] and sets out the requirements of the Framework, the Practice Guidance and relevant High Court judgments in this context;
 - 2 **Section 3.0** – This section provides an overview of the findings of the 2016 SHMA and 2016 SHMA addendum, a summary of Lichfields response to these documents, and an overview of the findings of the September 2017 SHMA Assessment Update;
 - 3 **Section 4.0** - Provides a critique of the September 2017 SHMA Assessment Update. This Section sets out the extent to which the document fulfils the necessary requirements previously discussed and whether it represents the full, objectively assessed housing need for the City of York. **Appendix 1** sets out Lichfields' assessment of Market Signals in the City of York;
 - 4 **Section 5.0** - Considers the approach which needs to be taken to assessing housing land supply and sets out the requirements of the Framework, the Practice Guidance and relevant High Court judgments in this context;
 - 5 **Section 6.0** – Provides an overview of the Council's housing supply evidence;
 - 6 **Section 7.0** – Identifies the relevant housing requirement figures to be used for both the 5-year assessment and the plan period assessment;
 - 7 **Section 8.0** - Assesses the adequacy of the deliverable and developable supply of housing sites to meet the requirement for the plan period and 5-year period. It draws on the information supplied by the Council in the LPP and associated evidence base;
 - 8 **Section 9.0** - Assesses the housing supply against the OAHNs for York identified by the Council and by Lichfields; and,

- 9 **Section 10.0** Summarises the key issues within the Councils evidence base and sets out why it is not compliant with the requirements for an OAHN calculation and housing land supply.

2.0 Approach to Identifying OAHN

Introduction

- 2.1 This section sets out the requirements of the Framework and the Practice Guidance in objectively assessing housing needs. This will provide the benchmark against which the SHMA Assessment Update will be reviewed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of an OAHN calculation in a legal context.

Policy Context

National Planning Policy Framework

- 2.2 The Framework outlines a two-step approach to setting housing requirements in Local Plans. Firstly, to define the full objectively assessed need for development and then secondly, to set this against any adverse impacts or constraints which would mean that need might not be met. This is enshrined in the approach defined in the Framework which sets out the presumption in favour of sustainable development:

“For plan-making this means that:

- *LPAs should positively seek opportunities to meet the development needs of their area;*
- *Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
 - *specific policies in this Framework indicate development should be restricted.”¹*

- 2.3 The Framework goes on to set out that in order to 'boost significantly' the supply of housing, LPAs should:

“use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the framework...”²

- 2.4 The Framework sets out the approach to defining such evidence which is required to underpin a local housing requirement. It sets out that in evidencing housing needs:

“LPAs should have a clear understanding of housing needs in their area. They should:

- *prepare a SHMA to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The SHMA should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:*
 - *meets household and population projections, taking account of migration and demographic change;*

¹ Framework - §14

² Framework - §47

- *addresses the need for all types of housing, including affordable housing and the needs of different groups in the community...; and*
- *caters for housing demand and the scale of housing supply necessary to meet this demand... ”³*

2.5 Furthermore, the core planning principles set out in the Framework⁴ indicate that a planned level of housing to meet objectively assessed needs must respond positively to wider opportunities for growth and should take account of market signals, including housing affordability.

Draft National Planning Policy Framework

2.6 The Framework draft text for consultation was published in March 2018. It has an unequivocal emphasis on housing, with the introduction to the consultation proposals clarifying that the country needs radical, lasting reform that will allow more homes to be built, with the intention of reaching 300,000 net additional homes a year. The draft states that to support the Government’s objective of ‘significantly boosting the supply of homes’, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay [§60].

2.7 In particular:

“In determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment, conducted using the standard method in national planning guidance – unless there are exceptional circumstances that justify an alternative approach which also reflects current and future demographic trends and market signals. In establishing this figure, any needs that cannot be met within neighbouring areas should also be taken into account”. [§61]

2.8 The draft also makes it clear that when identifying the housing need, policies should also break the need down by size, type and tenure of homes required for different groups in the community (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes) [§62].

2.9 Paragraphs 68 - 78 also set out how Councils should identify and maintain a five years’ worth of housing against their housing requirement.

2.10 In terms of the weight that can be attached to this draft document, it is accepted that only limited weight can be attached to the document at present as it is still out for consultation. In this regard, paragraph 209 to Annex 1 of the draft Framework states that the policies in the previous Framework will apply for the purposes of examining plans, where those plans are submitted on or before the date which is 6 months after the final Framework’s publication. *“in these cases the examination will take no account of the new Framework”*.

2.11 However the draft Framework remains a useful indicator of the direction of travel, not least with the approach to be taken to defining housing need, which has already been the subject of an earlier consultation (*‘Planning for the right homes in the right places’*, September 2017), to which MHCLG published a summary of consultation responses and its view on the way forward in March 2018.

³ Framework - §159

⁴ Framework - §17

National Planning Practice Guidance

- 2.12 The Framework is supplemented by the Practice Guidance which provides an overarching framework for considering housing needs, but also acknowledges that:

“There is no one methodological approach or use of a particular dataset(s) that will provide a definitive assessment of development need”⁵.

- 2.13 The Guidance states that household projections published by CLG should provide the starting point estimate of overall housing need⁶.

- 2.14 Although the Practice Guidance notes that demographic trends should be applied as a starting point when assessing the OAHN, it goes on to state that consideration should also be given to the likely change in job numbers. This supports the importance that the Framework⁷ places on the economy and the requirement to *“ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals”*. A failure to take account of economic considerations in the determination of the OAHN would be inconsistent with this policy emphasis.

- 2.15 The Inspector at the Fairford Inquiry⁸ recognised the role of economic factors in the assessment of the OAHN for Cotswold District:

“The Council has not provided a figure for OAN which takes account of employment trends. The Council argues that the advice in the PPG does not require local planning authorities to increase their figure for OAN to reflect employment considerations, but only to consider how the location of new housing or infrastructure development could help address the problems arising from such considerations. I disagree. In my view, the PPG requires employment trends to be reflected in the OAN, as they are likely to affect the need for housing. They are not “policy on” considerations but part of the elements that go towards reaching a “policy off” OAN, before the application of policy considerations. There is no evidence that the Council’s figures reflect employment considerations” [IR. §19].

- 2.16 This view reflects the position expressed by the Inspector (and confirmed by the Secretary of State) in the Pulley Lane Inquiries in Droitwich Spa⁹. The Inspector’s report (which was accepted by the SoS) states that:

“The Council’s case that “unvarnished” means arriving at a figure which doesn’t take into account migration or economic considerations is neither consistent with the (Gallagher) judgment, nor is it consistent with planning practice for deriving a figure for objectively assessed need to which constraint policies are then applied. Plainly the Council’s approach is incorrect. Clearly, where the judgement refers to ‘unvarnished’ figures (paragraph 29) it means environmental or other policy constraints. There is nothing in the judgement which suggests that it is not perfectly proper to take into account migration, economic considerations, second homes and vacancies”. [IR. §8.45]

- 2.17 Housing need, as suggested by household projections, should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings. Relevant signals may include land prices, house prices, rents, affordability (the ratio between lower quartile house prices and the lower quartile income or earnings can be

⁵ Practice Guidance – ID:2a-005-20140306

⁶ Practice Guidance – ID:2a-015-20140306

⁷ Framework - §158

⁸ Land South of Cirencester Road, Fairford (PINS Ref No: APP/F1610/A/14/2213318) (22 September 2014).

⁹ Land at Pulley Lane, Newland Road and Primsland Way, Droitwich Spa (APP/H1840/A/13/2199085) and Land north of Pulley Lane, Newland Road and Primsland Way, Droitwich Spa (PINS Ref No: APP/H1840/A/13/2199426) (2 July 2014).

used to assess the relative affordability of housing), rate of development and, overcrowding¹⁰:

“Appropriate comparisons of indicators should be made. This includes comparison with longer term trends (both in absolute levels and rates of change) in the: housing market area; similar demographic and economic areas; and nationally. A worsening trend in any of these indicators will require upward adjustment to planned housing numbers compared to ones based solely on household projections.”¹¹

- 2.18 In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable. The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be¹².
- 2.19 The Guidance recognises that market signals are affected by a number of economic factors, and plan makers should not attempt to estimate the precise impact of an increase in housing supply. Rather they should increase planned supply by an amount that, on reasonable assumptions and consistent with principles of sustainable development, could be expected to improve affordability, and monitor the response of the market over the plan period¹³.
- 2.20 The Practice Guidance concludes by suggesting that the total need for affordable housing should be identified and converted into annual flows by calculating the total net need (subtracting total available stock from total gross need) and converting total net need into an annual flow.
- 2.21 The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments:
- “An increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes.”¹⁴*

Draft Planning Practice Guidance

- 2.22 Following on from the draft Framework, on 9th March 2018 MHCLG published its draft Planning Practice Guidance for consultation. This provides further detail on 6 main topic areas: viability; housing delivery; local housing need assessments; Neighbourhood Plans; Plan-making and Build-to-rent.
- 2.23 Regarding housing delivery, the draft Practice Guidance sets out how local authorities should identify and maintain a 5-year supply of specific deliverable sites, bringing the Guidance into line with recent Ministerial statements and High Court Judgements. In particular, it clarifies that along with older peoples’ housing, all student accommodation can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market.
- 2.24 Furthermore, LPAs should deal with deficits or shortfalls against planned requirements within the first 5 years of the plan period (i.e. the ‘Sedgefield’ approach to backlog).
- 2.25 In terms of the Local Housing Need Assessment, this takes forward the approach set out in CLG’s September 2017 consultation on *“Planning for the right homes in the Right Places”*. The proposed approach to a standard method for calculating local housing need, including transitional arrangements, is set out and as before, consists of three components. The starting point would continue to be a demographic baseline using the latest CLG household projections

¹⁰ Practice Guidance – ID:2a-019-20140306

¹¹ Practice Guidance – ID:2a-020-20140306

¹² Practice Guidance – ID:2a-020-20140306

¹³ *ibid*

¹⁴ Practice Guidance – ID: 2a-029-20140306

(over a 10-year time horizon), which is then modified to account for market signals (the median price of homes set against median workplace earnings). The modelling proposes that each 1% increase in the ratio of house prices to earnings above 4 results in a ¼% increase in need above projected household growth.

2.26 The uplift is then capped to limit any increase an authority may face when they review their plan:

- a *“for those authorities that have reviewed their plan (including a review of local housing need) or adopted their plan in the last five years, a cap may be applied to their new annual local housing need figure at 40 per cent above the average annual requirement figure currently set out in their plan; or*
- b *for those authorities that have not reviewed their plan (including a review of local housing need) or adopted their plan in the last five years, a cap may be applied to their new annual local housing need figure at 40% above whichever is higher of the projected household growth for their area over the 10 years (using Office for National Statistics’ household projections), or the annual housing requirement figure set out in their most recent plan if one exists.” [page 25]*

2.27 The various stages are set out in Figure 2.1.

Figure 2.1 Proposed methodology for determination of OAHN



Source: Lichfields

2.28 In terms of the ability of LPAs to deviate from this proposed new methodology, this is discouraged unless there are compelling circumstances not to adopt the approach. For example:

“There may be circumstances where it is justifiable to identify need above the need figure identified by the standard method. The need figure generated by the standard method should be considered as the minimum starting point in establishing a need figure for the purposes of plan production. The method relies on past growth trends and therefore does not include specific uplift to account for factors that could affect those trends in the future. Where it is likely that additional growth (above historic trends identified by household

projections) will occur over the plan period, an appropriate uplift may be applied to produce a higher need figure that reflects that anticipated growth. Circumstances where an uplift will be appropriate include, but are not limited to; where growth strategies are in place, strategic level infrastructure improvements are planned, funding is in place to promote and facilitate growth (i.e. Housing Deals, Housing Infrastructure Fund). In these circumstances, the local housing need figure can be reflected as a range, with the lower end of the range being as a minimum the figure calculated using the standard method. Where an alternative approach identifies a need above the local housing need assessment method, the approach will be considered sound, unless there are compelling reasons to indicate otherwise.” [page 26]

2.29 As to whether LPAs can identify a lower level of need, as York City Council is suggesting:

“Plan-making authorities should use the standard method for assessing local housing need unless there are exceptional circumstances to justify an alternative approach. Any deviation which results in a lower housing need figure than the standard approach will be subject to the tests of soundness and will be tested thoroughly by the Planning Inspectorate at examination. The plan-making authority will need to make sure that the evidence base is robust and based on realistic assumptions, and that they have clearly set out how they have demonstrated joint working with other plan-making authorities. In such circumstances, the Planning Inspector will take the number from the standard method as a reference point in considering the alternative method.” page 26]

2.30 Lichfields notes the following with regard to the weight to be can be attached to MHCLG’s proposed new method:

- 1 **Status of the document:** MHCLG’s document is currently out for consultation, has yet to be finalised and may be subject to significant numbers of objections from interested parties;
- 2 **Proposed Transitional Arrangements:** As noted in the draft Framework above, the policies in the previous Framework will apply for the purposes of examining plans, where those plans are submitted on or before the date which is 6 months after the final Framework’s publication.

Recent Legal Judgements

2.31 There have been several key recent legal judgments of relevance to the identification of OAHN, and which provide clarity on interpreting the Framework:

- 1 ‘St Albans City and District Council v (1) Hunston Properties Limited and (2) Secretary of State for Communities and Local Government [2013] EWCA Civ 1610’ referred to as “Hunston”;
- 2 ‘(1) Gallagher Homes Limited and (2) Lioncourt Homes Limited v Solihull Metropolitan Borough Council [2014] EWHC 1283’ referred to as “Solihull”;
- 3 ‘Satnam Millennium Limited and Warrington Borough Council [2015] EWHC 370’ referred to as “Satnam”; and,
- 4 ‘Kings Lynn and West Norfolk Borough Council v (i) Secretary of State for Communities and Local Government and (ii) Elm Park Holdings [2015] EWHC 1958’ referred to as “Kings Lynn”.

Hunston

- 2.32 “Hunston” [EWCA Civ 1610] goes to the heart of the interpretation of the Framework¹⁵. It relates to an appeal decision in respect of a scheme predominantly comprising housing on a Green Belt site. Its relevance is that it deals with the question of what forms the relevant benchmark for the housing requirement, when policies on the housing requirement are absent, silent or out of date as referred to in the Framework¹⁶.
- 2.33 Hunston establishes that §47 applies to decision-taking as well as plan-making and that where policies for the supply of housing are out of date, objectively assessed needs become the relevant benchmark.
- 2.34 Sir David Keene in his judgment at §25 stated:
- “... I am not persuaded that the inspector was entitled to use a housing requirement figure derived from a revoked plan, even as a proxy for what the local plan process may produce eventually. The words in paragraph 47(1), “as far as is consistent with the policies set out in this Framework” remind one that the Framework is to be read as a whole, but their specific role in that sub-paragraph seems to me to be related to the approach to be adopted in producing the Local Plan. If one looks at what is said in that sub-paragraph, it is advising local planning authorities:*
- “...to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework.”*
- “That qualification contained in the last clause quoted is not qualifying housing needs. It is qualifying the extent to which the Local Plan should go to meet those needs. The needs assessment, objectively arrived at, is not affected in advance of the production of the Local Plan, which will then set the requirement figure.”*
- 2.35 Crucially Hunston determined that it is clear that constraints should not be applied in arriving at an objective assessment of need. Sir David Keene in Hunston goes on to set out that [§§26-27]:
- “... it is not for an inspector on a Section 78 appeal to seek to carry out some sort of local plan process as part of determining the appeal, so as to arrive at a constrained housing requirement figure. An inspector in that situation is not in a position to carry out such an exercise in a proper fashion, since it is impossible for any rounded assessment similar to the local plan process to be done... It seems to me to have been mistaken to use a figure for housing requirements below the full objectively assessed needs figure until such time as the Local Plan process came up with a constrained figure.”*
- “It follows from this that I agree with the judge below that the inspector erred by adopting such a constrained figure for housing need. It led her to find that there was no shortfall in housing land supply in the district. She should have concluded, using the correct policy approach, that there was such a shortfall. The supply fell below the objectively assessed five year requirement.”*

Solihull

- 2.36 “Solihull” [EWHC 1283] is concerned with the adoption of the Solihull Local Plan and the extent to which it was supported by a figure for objectively assessed housing need. Although related to

¹⁵ Framework - §47

¹⁶ Framework - §14

plan-making, it again deals with the Framework¹⁷ and draws upon, and reiterates, the earlier Hunston judgment.

2.37 The judgment of Hickinbottom J in Solihull sets out a very useful summary of the staged approach to arriving at a housing requirement, providing some useful definitions of the concepts applied in respect of housing needs and requirements [§37]:

*“i) **Household projections:** These are demographic, trend-based projections indicating the likely number and type of future households if the underlying trends and demographic assumptions are realised. They provide useful long-term trajectories, in terms of growth averages throughout the projection period. However, they are not reliable as household growth estimates for particular years: they are subject to the uncertainties inherent in demographic behaviour, and sensitive to factors (such as changing economic and social circumstances) that may affect that behaviour...”*

*“ii) **Full Objective Assessment of Need for Housing:** This is the objectively assessed need for housing in an area, leaving aside policy considerations. It is therefore closely linked to the relevant household projection; but is not necessarily the same. An objective assessment of housing need may result in a different figure from that based on purely demographics if, e.g., the assessor considers that the household projection fails properly to take into account the effects of a major downturn (or upturn) in the economy that will affect future housing needs in an area. Nevertheless, where there are no such factors, objective assessment of need may be – and sometimes is – taken as being the same as the relevant household projection.”*

*“iii) **Housing Requirement:** This is the figure which reflects, not only the assessed need for housing, but also any policy considerations that might require that figure to be manipulated to determine the actual housing target for an area. For example, built development in an area might be constrained by the extent of land which is the subject of policy protection, such as Green Belt or Areas of Outstanding Natural Beauty. Or it might be decided, as a matter of policy, to encourage or discourage particular migration reflected in demographic trends. Once these policy considerations have been applied to the figure for full objectively assessed need for housing in an area, the result is a “policy on” figure for housing requirement. Subject to it being determined by a proper process, the housing requirement figure will be the target against which housing supply will normally be measured.”*

2.38 Whilst this is clear that a housing requirement is a “policy on” figure and that it may be different from the full objectively assessed need, Solihull does reiterate the principles set out in Hunston, namely that where a Local Plan is out of date in respect of a housing requirement (in that there is no Framework-compliant policy for housing provision within the Development Plan) then the housing requirement for decision taking will be an objective assessment of need [§88]:

“I respectfully agree with Sir David Keene (at [4] of Hunston): the drafting of paragraph 47 is less than clear to me, and the interpretative task is therefore far from easy. However, a number of points are now, following Hunston, clear. Two relate to development control decision-taking.

i) “Although the first bullet point of paragraph 47 directly concerns plan-making, it is implicit that a local planning authority must ensure that it meets the full, objectively assessed needs for market and affordable housing in the housing market, as far as consistent with the policies set out in the NPPF, even when considering development

¹⁷ Framework - §14 & §47

control decisions.”

- ii) *“Where there is no Local Plan, then the housing requirement for a local authority for the purposes of paragraph 47 is the full, objectively assessed need.”*

2.39 Solihull also reaffirms the judgment in Hunston that full objectively assessed needs should be arrived at, and utilised, without the application of any constraining factors. At §91 of the judgment the judge sets out:

“... in the context of the first bullet point in paragraph 47, policy matters and other constraining factors qualify, not the full objectively assessed housing needs, but rather the extent to which the authority should meet those needs on the basis of other NPPF policies that may, significantly and demonstrably outweigh the benefits of such housing provision.”

Satnam

2.40 “Satnam” [EWHC 370] highlights the importance of considering affordable housing needs in concluding on full OAHN. The decision found that the adopted OAHN figure within Warrington’s Local Plan was not in compliance with policy in respect of affordable housing because (as set out in §43) the assessed need for affordable housing need was never expressed or included as part of OAHN.

2.41 The decision found that the “*proper exercise*” had not been undertaken, namely:

- “(a) having identified the OAN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes;”*
- “(b) the Local Plan should then meet the OAN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47.”*

2.42 In summary, this judgment establishes that full OAHN has to include an assessment of full affordable housing needs.

Kings Lynn

2.43 Whilst “Satnam” establishes the fact that full OAHN must include affordable housing needs, “Kings Lynn” [EWHC 1958] establishes how full affordable housing needs should be addressed as part of a full OAHN calculation. The judgment identifies that it is the function of a SHMA to address the needs for all types of housing including affordable, but not necessarily to meet these needs in full. The justification of this statement is set out below in §35 to §36 of the judgment.

“At the second stage described by the second sub-bullet point in paragraph 159, the needs for types and tenures of housing should be addressed. That includes the assessment of the need for affordable housing as well as different forms of housing required to meet the needs of all parts of the community. Again, the PPG provides guidance as to how this stage of the assessment should be conducted, including in some detail how the gross unmet need for affordable housing should be calculated. The Framework makes clear these needs should be addressed in determining the FOAN, but neither the Framework nor the PPG suggest that they have to be met in full when determining that FOAN. This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being

developed. It is no doubt for this reason that the PPG observes at paragraph ID 2a-208-20140306 as follows:

"i The total affordable housing need should then be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes."

"This consideration of an increase to help deliver the required number of affordable homes, rather than an instruction that the requirement be met in total, is consistent with the policy in paragraph 159 of the Framework requiring that the SHMA "addresses" these needs in determining the FOAN. They should have an important influence increasing the derived FOAN since they are significant factors in providing for housing needs within an area."

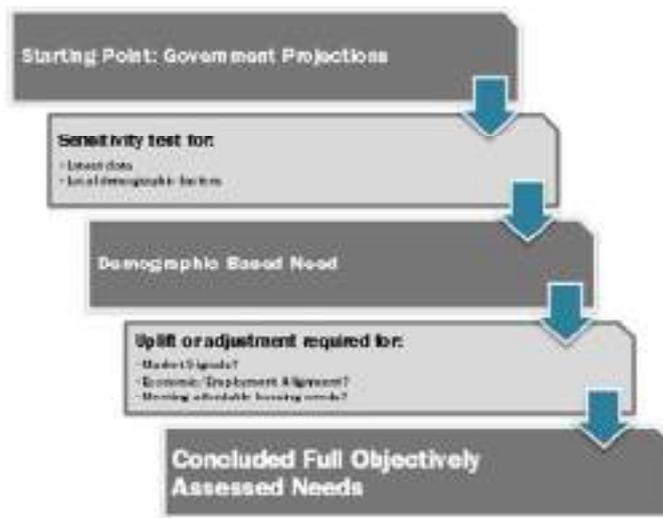
- 2.44 The judgment is clear that the correct method for considering the amount of housing required to meet full affordable housing needs is to consider the quantum of market housing needed to deliver full affordable housing needs (at a given percentage). However, as the judgment sets out, this can lead to a full OAHN figure which is so large that a LPA would have *"little or no prospect of delivering [it] in practice"*. Therefore, it is clear from this judgment that although it may not be reasonable and therefore should not be expected that the OAHN will include affordable housing needs in full, an uplift or similar consideration of how affordable needs can be 'addressed' is necessary as part of the full OAHN calculation. This reflects the Framework¹⁸.

Conclusion

- 2.45 It is against this policy context that the housing need for the City of York must be considered. In practice, applying the Framework and Practice Guidance to arrive at a robust and evidenced OAHN is a staged and logical process. An OAHN must be a level of housing delivery which meets the needs associated with population, employment and household growth, addresses the need for all types of housing including affordable and caters for housing demand.
- 2.46 Furthermore, a planned level of housing to meet OAHN must respond positively to wider opportunities for growth and should take account of market signals, including affordability. This approach has been supported by the recent Legal Judgements summarised above. This approach is summarised in Figure 2.2.

¹⁸ Framework - §158

Figure 2.2 The Framework and Practice Guidance Approach to Objectively Assessing Housing Needs



Source: Lichfields based upon the Framework / Practice Guidance

3.0 City of York Council's OAHN Evidence

Introduction

- 3.1 Before setting out a critique of CYC's housing OAHN evidence base, it is important to recognise that the Council has never had an adopted Local Plan for the City (under the 1971 Act, the 1990 Act or the 2004 Act) and progress on the current draft Local Plan has been, it is not unfair to say, glacial.
- 3.2 The development plan for York comprises two policies¹⁹ and the Key Diagram of the partially revoked Yorkshire and Humber Regional Strategy (2008) [YHRS]. There is no adopted Local Plan for York that forms part of the development plan. Instead, there is a long history of failed attempts to produce an adopted Local Plan.
- 3.3 The Council published the '*York Local Plan - Preferred Options*' document for consultation in summer 2013, followed by a 'Further Sites' consultation for six weeks in summer 2014 which included potential new sites and changes to the boundaries of some of the sites originally identified. Following these consultations, a '*Publication Draft Local Plan and Proposals Map*' was considered by the Local Plan Working Group [LPWG] and by Cabinet in September 2014²⁰. With the intention of progressing a Framework compliant Local Plan, the Cabinet resolved to carry through the LPWG's recommendations and approve the Local Plan Publication Draft for public consultation, subject to amendments circulated at the Cabinet meeting and to instruct officers to report back following the consultation with a recommendation on whether it would be appropriate to submit the Publication Draft for public examination.
- 3.4 However, at the Full Council on 9 October 2014²¹ a resolution was made to halt the public consultation on the Local Plan Publication Draft in order to reassess and accurately reflect objectively assessed housing requirements. The resolution also instructed officers to produce a report on the housing trajectory to be brought back to the next meeting of the LPWG in November 2014 along with the relevant background reports. The intention was for the report to allow the LPWG to agree an accurate analysis of the housing trajectory that is objective, evidence based and deliverable. The analysis was to be used to "*inform housing allocations and a new proposed Local Plan to be brought back to the next LPWG for discussion and recommendation to Cabinet in November.*"
- 3.5 The Council published the following 'further work' on the Local Plan relating to housing needs since the Full Council resolution to halt the Publication Draft Local Plan in 2014:
- 1 In December 2014, the LPWG considered a report on '*Housing Requirements in York*' which was based on two background documents produced by Arup²². The report set out four different housing requirement figures that were considered sound against the evidence base and three options for progressing the work on housing requirements. The LPWG members agreed a housing requirement figure of 926dpa²³;
 - 2 In September 2015 the LPWG considered an update on the '*Objective Assessment of Housing Need*' [OAHN] report produced by Arup²⁴ and a report on '*Economic Growth*'²⁵. The Arup report concluded that the housing 'requirement' should be in the range of 817

¹⁹ Both relating to Green Belt, requiring its inner boundaries to be defined in a plan and confirming that the general extent is about 6 miles out from the City centre

²⁰ Cabinet Meeting Thursday 25 September, 2014 - Minutes

²¹ Resolutions and proceedings of the Meeting of the City of York Council held in Guildhall, York on Thursday, 9th October, 2014

²² Assessment of the Evidence on Housing Requirements in York (Arup, May 2013) & Housing Requirements in York: Evidence on Housing Requirements in York: 2014 Update (Arup, September 2014)

²³ Local Plan Working Group 17 December 2014 - Minutes

²⁴ Evidence on Housing Requirements in York: 2015 Update – Arup (August 2015)

²⁵ York Economic Forecasts – Oxford Economics (May 2015)

dwellings per annum [dpa] to 854dpa between 2012 and 2031. The LPWG's recommendations were that the Executive Committee note the Arup OAHN report and endorse further work, including an evaluation of any spatial and delivery implications, on two scenarios for economic growth that would be reported back to the LPWG in due course;

- 3 In Autumn 2015 the Council commissioned GL Hearn jointly with Ryedale, Hambleton and the North York Moors National Park Authority to undertake a Strategic Housing Market assessment [SHMA]²⁶. This study aimed to provide a clear understanding of housing needs in the City of York area. The SHMA was published as part of a suite of documents for the LPWG meeting on 27th June 2016. It concluded that the OAHN for the City of York was in the order of 841dpa.
- 4 On the 25th May 2016 ONS published a new set of (2014-based) sub national population projections [SNPP]. These projections were published too late in the SHMA process to be incorporated into the main document. However in June 2016 GL Hearn produced an Addendum²⁷ to the main SHMA report which briefly reviewed key aspects of the projections and concluded that the latest (higher) SNPP suggested a need for some 898dpa between 2012 and 2032. However due to concerns over the historic growth within the student population, the Addendum settled on a wider OAHN range of 706dpa - 898dpa, and therefore the Council considered that it did not need to move away from the previous 841dpa figure.
- 5 DCLG published updated 2014-based sub-national household projections [SNHP] in July 2016. GL Hearn was asked by City of York Council to update the SHMA to take account of these new figures and to assess the representations received through the Preferred Sites Consultation [PSC] relating to OAN. The GL Hearn SHMA Addendum Update (May 2017) subsequently updated the demographic starting point for York based on these latest household projections. The 2014-based SNHP increases the demographic starting point from 783dpa (in the 2016 SHMA) to 867dpa. In their Update, GL Hearn then applied a 10% uplift to the 867dpa starting point to account for market signals and affordable housing need and identifies a resultant housing need of 953dpa. However, a cover sheet to GL Hearn's Update, entitled 'Introduction and Context to objective Assessment of Housing Need' was inserted at the front of this document by the Council. This states that 867dpa is the relevant baseline demographic figure for the 15 year period of the plan (2032/33). The Council rejected the 953dpa figure on the basis that GL Hearn's conclusions stating:

"...Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations."

- 3.6 As a result of this approach, the February 2018 City of York Publication Draft now states in Policy SS1: Delivering Sustainable Growth for York, the intention to:

"Deliver a minimum annual provision of 867 new dwellings over the plan period to 2032/33 and post plan period to 2037/38."

- 3.7 The supporting text to this policy makes no mention of the 953 dpa OAHN figure, but instead claims that 867 dpa is "*an objectively assessed housing need*" [§3.3].
- 3.8 The remainder of this section provides an overview of the findings of the 2016 SHMA and 2016 SHMA addendum, a summary of Lichfields response to these documents, and an overview of the findings of the September 2017 SHMA Assessment Update.

²⁶GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment

²⁷GL Hearn (June 2016): City of York Council Strategic Housing Market Assessment - Addendum

Overview of the City of York SHMA

- 3.9 The emerging City of York Local Plan is currently underpinned by three key housing need documents:
- 1 City of York Strategic Housing Market Assessment [SHMA], prepared on behalf of CYC by GL Hearn in June 2016;
 - 2 City of York SHMA Addendum, prepared on behalf of CYC by GL Hearn in June 2016; and,
 - 3 City of York September 2017 SHMA Assessment Update prepared on behalf of CYC by GL Hearn.
- 3.10 These documents follow on from previous reports prepared to inform the emerging Local Plan including the *'City of York Council Housing Requirements in York Evidence on Housing Requirements in York: 2015 Update'* (August 2015) prepared by Arup and the *'North Yorkshire Strategic Housing Market Assessment'* (November 2011) prepared by GVA.
- 3.11 A review of these documents and Lichfields' previous submissions on the City of York SHMA (June 2016) and the SHMA Addendum (June 2016) has been provided below in order to provide the context to the issues raised in this Technical Report.

City of York SHMA (June 2016)

- 3.12 GL Hearn states that the SHMA was prepared *'essentially to sensitivity check'* the Arup August 2015 Housing Requirements in York report. However, it departs significantly from the Arup approach and undertakes an entirely new set of modelling using the 2012-based SNPP and 2012-based SNHP for the period 2012-2032. The subsequent Addendum was prepared to understand the implications on the earlier SHMA analysis of the publication of the 2014-based Sub-National Population Projections [SNPP] on 25th May 2016.
- 3.13 The SHMA concludes (Section 2.0) that the HMA which covers the City of York also extends to include Selby. However:
- "While we propose a HMA which links to Selby and York we are not considering housing need across the HMA. Selby has recently produced its own SHMA and this assessment does not seek to replicate it"* [§2.106]
- 3.14 GL Hearn undertook a number of demographic modelling scenarios including the 2012-based SNPP; long term migration trends and 2012-based SNPP adjusted to take into account the (higher) 2014 MYE. GL Hearn concluded that the SNPP *"is a sound demographic projection from a technical perspective"* [page 83], although they attached greater weight to a higher figure of 833 dpa based on a projection which takes into account the 2013 and 2014 Mid-Year Population Estimates [MYE] and rolls forward the SNPP.
- 3.15 The SHMA concluded that one of the most noteworthy findings from the analysis was the relatively small increase in the population aged 15-29 (which includes the vast majority of students):
- "Whilst over the 2001-2014 period this age group increased by 12,600, there is only projected to be a 2,500 increase over the 20-years to 2032. Such a finding is consistent with this age group not being expected to see any notable changes at a national level in the future...At the time of writing York University was not expecting significant increases in the student population, whilst St Johns was only expecting a modest increase. With this knowledge, and the age specific outputs from the SNPP we can have reasonable confidence that the SNPP is a realistic projection."* [§§4.31-4.32]
- 3.16 The projections are set out in Table 3.1.

Table 3.1 Summary of the City of York SHMA (June 2016) Range of Scenarios (2012-2032)

	Change in Households	Dwellings per annum (2012-2032)	Job growth per annum (2012-2032)
2012-based SNPP	15,093	783 dpa	(not provided)
2014-based	18,458	958 dpa	
UPC adjusted	12,676	658 dpa	
10-year migration	13,660	709 dpa	
2012-based SNPP (as updated)	16,056	833 dpa	
OE Baseline	15,019	780 dpa	609
OE Re-profiling			635
OE – higher migration	15,685	814 dpa	868
YHREM	15,356	797 dpa	789

Source: City of York SHMA (June 2016)

- 3.17 The analysis also considered future economic growth performance by accessing forecasts from Oxford Economics [OE] and Experian (via the Yorkshire and the Humber Regional Economic Modelling [YHREM]). The forecasts range from 609 jobs per annum (OE baseline) to 868 (OE higher migration).
- 3.18 The GL Hearn modelling concluded that this would support a level of population growth broadly in line with the 2012-based SNPP generating between 780-814dpa, which it considered to be below the level of need identified from the most recent MYE data:
- “On balance there is no justification for an uplift to housing numbers in the City to support expected growth in employment” [page 87].*
- 3.19 The SHMA proceeds to identify a relatively high level of affordable housing need, of 573dpa, above the 486dpa need identified by GVA in the 2011 SHMA. It states:
- “The analysis undertaken arguably provides some evidence to justify considering an adjustment to the assessed housing need to address the needs of concealed households, and support improvements [sic] household formation for younger households; although any adjustment will also need to take account of any future changes already within the household projections (e.g. in terms of improving household formation). The issue of a need for any uplift is considered alongside the analysis of market signals which follows.” [§6.112]*
- 3.20 However, the SHMA concludes that whilst the affordable housing need represents 69% of the need identified in the demographic-led projections, it is not appropriate to directly compare the need as they are calculated in different ways:
- “The analysis does not suggest that there is any strong evidence of a need to consider housing delivery higher than that suggested by demographic projections to help deliver more affordable homes to meet the affordable housing need.”*
- “However, in combination with the market signals evidence some additional housing might be considered appropriate to help improve access to housing for younger people. A modest uplift would not be expected to generate any significant population growth (over and above that shown by demographic projections) but would contribute to reducing*

concealed households and increasing new household formation. The additional uplift would also provide some additional affordable housing.” [page 115]

- 3.21 GL Hearn’s market signals analysis in the SHMA indicates that there are affordability pressures in the City of York:
- 1 Lower quartile to median income ratio is around 7.89 (compared to 6.45 nationally);
 - 2 House prices are also very high and tripled in the pre-recession decade. Private rental levels in York, at £675pcm, which are higher than comparator areas and nationally (£600pcm in England);
 - 3 Over-occupied dwellings increased by 52% between 2001 and 2011: “which is high relative to that seen at a regional or national level” [§8.34].
 - 4 Housing delivery in York:
“...has missed the target each year since 2007” [§8.38].
- 3.22 In this regard, GL Hearn concludes that:
- “It would therefore be appropriate to consider a modest upward adjustment to the demographic assessment of housing need to improve affordability over time.” [§8.99]*
- 3.23 To consider what level of uplift might be appropriate, GL Hearn sought to assess the degree to which household formation levels had been constrained for younger age groups, and what scale of adjustment to housing provision would be necessary for these to improve. This was derived on the assumption that household formation rates of the 25-34 age group would return to 2001 levels by 2025 (from 2015). This resulted in an increase in the annual housing provision of 8 homes per annum across the City for each of the aforementioned scenarios.
- 3.24 The SHMA confirms that this sensitivity analysis represents “*the market signals adjustment*” [§8.111], although in the light of GL Hearn’s conclusions concerning affordable housing needs (see above), this 8dpa uplift would also appear to be geared towards improving access to housing for younger people in the City.
- 3.25 The SHMA therefore concludes that applying an 8dpa uplift to the 833dpa preferred demographic scenario results in an overall housing OAHN of 841dpa over the 2012-2032 period.

SHMA Addendum (June 2016)

- 3.26 The Addendum revisits parts of the earlier City of York SHMA analysis following the publication of the 2014-based SNPP by ONS on 25th May 2016. The report found that the latest projections suggest a higher level of population growth, at levels around 28% higher than in the 2012-based SNPP.
- 3.27 GL Hearn’s analysis states that the difference between the 2014-based SNPP and the 2012-based SNPP “*is around 4,000 people, with around the same number being an additional increase in the 15-29 age group (4,200 of the difference)*” [§1.10].
- 3.28 GL Hearn considers that the growth in the younger age group is likely to reflect the strong growth in the student population in the City between 2008 and 2014 as a result of a new campus opening (the University of York expanded by 3,500 students over the period). The Update quotes an ONS response to CYC during the consultation to the latest projections, which suggests that some locally specific issues (such as the recorded outflow of male students from the city of York) may be under-estimated and should be treated with care.
- 3.29 This is in contrast to GL Hearn’s previous conclusions on the 2012-based SNPP (as set out in the earlier 2016 SHMA), where they considered that the 2012-based SNPP was a realistic projection because it forecast limited growth in the 15-29 age group going forward.

- 3.30 GL Hearn revisited the modelling using a revised long term migration trend and the 2014-based SNPP (Table 3.2).

Table 3.2 Summary of the city of York SHMA Addendum (June 2016) Range of Scenarios (2012-2032)

	2012-based SNHP Headship Rates		+ uplift to the 25-34 age group headship rates
	Change in Households	Dwellings per Annum	
2012-based SNPP	15,093	783	792
2012-based SNPP (updated)	16,056	833	841
2014-based SNPP	17,134	889	898
10-year Migration Trend	13,457	698	706

Source: City of York SHMA Addendum (June 2016)

- 3.31 Using the latest available data and including a “*market signals adjustment*” [§1.32] of 8dpa as contained in the SHMA “*and recognising concerns around the impact of historic student growth, this addendum identifies an overall housing need of up to 898dpa*”. [§1.20].
- 3.32 An update to the affordable housing need model increases the ‘*bottom line estimate of affordable housing need*’ from 573dpa to 627dpa.
- 3.33 The Addendum draws the following conclusions on OAHN:

“There are concerns relating to historic growth within the student population and how this translates into the SNPP projections. This looks to be a particular concern in relation to the 2014-based SNPP where there is a relatively strong growth in some student age groups when compared with the 2012-based version (which looks to be sound for those particular age groups). Some consideration could be given to longer term dynamics although this does need to recognise that the evidence suggests some shift in migration patterns over the more recent years – a 10 year migration trend using the latest available evidence calculates a need for 706dpa, although as noted this will not fully reflect some of the more recent trends. This projection is therefore not considered to be an appropriate starting point for which to assess housing need although it can be used to help identify the bottom end of a reasonable range.

“Given that the full SHMA document identifies an OAN for 841dpa which sits comfortably within this range set out in this addendum (706dpa – 898dpa) it is suggested that the Council do not need to move away from this number on the basis of the newly available evidence – particularly given the potential concerns about the impact of student growth in the 2014-based SNPP and also longer term trends not reflecting the most recent trends.” [§§1.33-1.34].

Lichfields Previous SHMA Representations

- 3.34 A review of the June 2016 Strategic Housing Market Assessment [SHMA], and the subsequent SHMA Addendum (June 2016) was submitted by Lichfields (then branded as Nathaniel Lichfield & Partners) on behalf of the Companies in September 2016 in response to the City of York Local Plan – Preferred Sites Consultation.
- 3.35 This review provided objective evidence on the local need and demand for housing in the City of York and its Housing Market Area [HMA]. It established the scale of need for housing in the

City of York based upon a range of housing, economic and demographic factors, trends and forecasts, based on the application of Lichfields' HEaDROOM framework.

3.36 More specifically it:

- 1 Considered the approach which needs to be taken to calculating OAHN and sets out the requirements of the Framework, the Practice Guidance and relevant High Court judgments in this context;
- 2 Provided a critique of the 841 dwellings per annum [dpa] identified as the City of York's OAHN in the June 2016 Strategic Housing Market Assessment [SHMA] for the City, and the subsequent SHMA Addendum which recommended a broader OAHN range of 706dpa to 898dpa and considered whether they represent the full, objectively assessed housing need for the City of York;
- 3 Set out the approach taken by Lichfields to define a new OAHN for the City of York, using the latest demographic evidence and economic forecasts and affordable housing needs;
- 4 Provided an analysis of market signals in the City;
- 5 Identified a revised OAHN for the City of York, based on Lichfields' PopGroup modelling; and,
- 6 Summarised the key issues within the SHMA and subsequent Addendum and sets out why it is not compliant with the requirements for an OAHN calculation.

3.37 The review concluded that the SHMA documents make a number of assumptions and judgements which Lichfields considered to be flawed, or which do not properly respond to the requirements of policy and guidance. As a result, the recommended OAHN was not robust and was inadequate to meet need and demand within the HMA.

3.38 The review noted that there were a number of significant deficiencies in the City of York SHMA and Addendum which means that the 841dpa OAHN figure currently being pursued by CYC is not soundly based. In particular:

- 1 The demographic modelling downplayed the robustness of the 2014-based SNPP which were not supported by the evidence in other aspects of the document;
- 2 As a result, the Council's 841dpa OAHN figure was actually below the demographic starting point in the latest 2014-based SNHP of 853hpa even before any adjustments were made;
- 3 Adjustments to headship rates had been conflated with the uplift for market signals. The SHMA did not apply a separate uplift for market signals, but instead made an adjustment to the demographic modelling based on changes to headship rates which should be part of a normal adjustment to the demographic starting point before market signals are considered. As a result, there was no adjustment for market signals at all despite the significant and severe market signal indicators apparent across the City of York;
- 4 A 'black-box' approach had been taken to the economic-led modelling, with key evidence relating to how the job projections had been factored into any PopGroup model being unpublished; and,
- 5 No explicit consideration or uplift applied in respect of delivering more homes to meet the needs of households in affordable housing need. This was despite the SHMA and Addendum indicating a level of affordable housing need (of 573dpa and 627dpa respectively) which would only be met well in excess of the concluded OAHN.

3.39 In combination, the judgements and assumptions applied within the SHMA sought to dampen the level of OAHN across the City of York. Fundamentally, it was considered that the OAHN(s) identified in the SHMA and Addendum failed to properly address market signals, economic or affordable housing needs, as envisaged by the Framework and Practice Guidance as clarified by High Court and Court of Appeal judgements.

- 3.40 Lichfields undertook its own analysis of housing need for the City of York. Based on the latest demographic data, and through the use of the industry standard PopGroup demographic modelling tool, it was Lichfields' view that the OAHN for York was at least 1,125dpa, although there was a very strong case to meet affordable housing needs in full, in which case the OAHN would equate to 1,255dpa (rounded).
- 3.41 If long term migration trends were to continue into the future, this would justify a higher OAHN of 1,420dpa, although due to uncertainties regarding the level of international net migration into York it was considered that less weight should be attached to this figure.
- 3.42 This allowed for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this range would ensure compliance with the Framework²⁸ by significantly boosting the supply of housing. It would also reflect the Framework²⁹, which seeks to ensure the planning system does everything it can to support sustainable development.

September 2017 SHMA Assessment Update

- 3.43 The stated purpose of GL Hearn's Assessment Update is to review the housing need in York taking into account of the latest demographic information. In particular, it reviews the impact of the 2014-based SNHP and the 2015 Mid-Year Estimates (both published June 2016).
- 3.44 The Assessment Update also reviews the latest evidence on market signals within the City. The report states that this is not a full trend-based analysis but rather a snapshot of the latest evidence to be read in conjunction with the full SHMA document. As such, the report does not revisit the affordable housing need for the City, nor does it update analysis on the mix of housing required or the needs for specific groups.
- 3.45 The report [§2.2] finds that over the 2012-32 period, the 2014-based SNPP projects an increase in population of around 31,400 people (15.7%) in York. This is somewhat higher than the 2012-based SNPP (12.2%) and also higher than the main 2016 SHMA projection (which factored in population growth of 13.7%).
- 3.46 The report [§2.11] states that the official population projections (once they are rebased to include the latest 2015 MYE) indicate a level of population growth which is higher than any recent historic period or any trend based forecast of growth. It should therefore be seen as a positive step to consider these as the preferred population growth starting point.
- 3.47 The analysis [§2.17] finds that by applying the headship rates within the 2014-based SNHP the level of housing need would be for 867dpa – this is c.4% higher than the figure (833dpa) derived in the 2016 SHMA for the main demographic based projection.

Table 3.3 Projected Household Growth 2012-32 - Range of demographic based scenarios

	Change in households	Dwellings (per annum)
2014-based SNPP	17,120	867
2014-based SNPP (+MYE)	17,096	866

Source: SHMA Assessment Update (September 2017)

- 3.48 The report [§2.19] notes that within the SHMA, analysis was also undertaken (as part of the

²⁸ Framework - §47

²⁹ Framework - §19

market signals analysis) to recognise a modest level of suppressed household formation – this essentially took the form of returning the household formation/headship rates of the 25-34 age group back to the levels seen in 2001 (which is when they started to drop). With an uplift to the household formation rates of the 25-34 age group, the housing need (when linked to 2014-based projections when updated) increases to 873dpa. When the mid-year estimates are factored in, the housing need decreases slightly to 871dpa.

Table 3.4 Projected Household Growth 2012-32 - Range of demographic based scenarios (with uplift to headship rates for 25-34 age group)

	Change in households	Dwellings (per annum)
2014-based SNPP	17,232	873
2014-based SNPP (+MYE)	17,209	871

Source: SHMA Assessment Update (September 2017)

3.49 The SHMA Assessment Update [§5.3-5.4] states:

“Furthermore there is also the clear desire of the Government to boost housing delivery, and therefore setting an OAN that is below the most recent official projections while justifiable might be difficult to support.”

“There is however an apparent continued suppression of household formation rates within younger age groups within the official projections. In order to respond to this we have increased the household formation rates in this age group to the levels seen in 2001. The housing need (when linked to 2014-based projections) increases to 873 dwellings per annum. When the mid-year estimates are included the housing need decreases to 871dpa. This should be seen as the demographic conclusions of this report”.

3.50 GL Hearn therefore clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. However this ‘demographic conclusion’ of 871dpa does not appear to have been carried forward by GL Hearn through to the next steps of calculating the resultant housing need, as summarised below.

3.51 With regard to market signals and affordable housing the Assessment Update [§3.19] notes that:

“On balance, the market signals are quite strong and there is a notable affordable housing need. Combined these would merit some response within the derived OAN. This is a departure from the previous SHMA and the Addendum which did not make any market signals or affordable housing adjustment.”

3.52 The report considers a single adjustment to address both of these issues on the basis that they are intrinsically linked. The Assessment Update [§3.28] states:

“Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”

3.53 With regard to this matter the Assessment Update [§5.6-5.7] draws the following conclusions:

“In response to both market signals and affordable housing need we have advocated a 10% uplift to the OAN. In line with the PPG this was set against the official starting point of 867dpa. The resultant housing need would therefore be 953dpa for the 2012-32

period.”

“The level of housing need identified is someway higher than the previous SHMA reflecting the increased starting point but also the inclusion of a market signals uplift. This OAN would meet the demographic growth in the City as well as meet the needs of the local economy”.

- 3.54 Lichfields agrees with making an adjustment for demographic and household formation rates to get to 871dpa. However, it is illogical to then revert back to the unadjusted projections of 867dpa and then apply the adjustment for market signals and affordable housing to this lower, discredited figure.
- 3.55 Moving on, GL Hearn models a series of economic growth forecasts. In this regard, they conclude that the level of housing associated with the economic growth projections are lower than the 867/871dpa demographic need, the Assessment Update considers that there is no justification for an uplift to housing numbers in the City to support the expected growth in employment.
- 3.56 As such, the report concludes that by applying a 10% uplift to the demographic starting point of 867dpa results in an OAHN of 953dpa for York City for the 2012-2032 period. However, as noted above, the Council has inserted an ‘Introduction and Context to Objective Assessment of Housing Need’ to the front of the Assessment Update which contests the need for any adjustment to the 2014-based SNHP figure.
- 3.57 It notes that Members of the Council’s Executive at the meeting on 13th July 2017 resolved that on the basis of the housing analysis set out in paragraphs 82 - 92 of the Executive Report, the increased figure of 867dpa.

4.0 Critique of the SHMA Update

Introduction

- 4.1 The Companies have serious concerns and wish to raise strong objections to the way in which the Council has chosen to identify an OAHN of 867dpa and the subsequent identification of this need as the housing requirement in Policy SS1 of the LPP. As noted above, the ‘Introduction and Context to Objective Assessment of Housing Need’ (inserted by the Council at the front of the SHMA Update Assessment) states [page 2]:

“Members of the Council’s Executive at the meeting on 13th July 2017 resolved that on the basis of the housing analysis set out in paragraphs 82 - 92 of the Executive Report, the increased figure of 867 dwellings per annum, based on the latest revised sub national population and household projections published by the Office for National Statistics and the Department of Communities and Local Government, be accepted.”

“Executive also resolved that the recommendation prepared by GL Hearn in the draft Strategic Housing Market Assessment, to apply a further 10% to the above figure for market signals (to 953 dwellings per annum), is not accepted on the basis that Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.”

- 4.2 This is effectively a ‘policy-on’ intervention by the Council which should not be applied to the OAHN. It has been confirmed in the Courts that OAHN is ‘policy off’ and does not take into account supply pressures. The judgment of Hickinbottom J in Solihull sets out the definition of OAHN [§37]:

“Full Objective Assessment of Need for Housing: This is the objectively assessed need for housing in an area, leaving aside policy considerations (Lichfields emphasis). It is therefore closely linked to the relevant household projection; but is not necessarily the same. An objective assessment of housing need may result in a different figure from that based on purely demographics if, e.g., the assessor considers that the household projection fails properly to take into account the effects of a major downturn (or upturn) in the economy that will affect future housing needs in an area. Nevertheless, where there are no such factors, objective assessment of need may be – and sometimes is – taken as being the same as the relevant household projection.”

- 4.3 With regard to this matter, the SHMA Assessment Update [§§5.8-5.9] clearly states:

“The official projections should be seen a starting point only and housing delivery at this level (867dpa) would only meet the demographic growth of the City. It would not however address the City’s affordability issues.”

“Without the 10% uplift for market signals/affordable housing need the City’s younger population would fail to form properly. This would result in greater numbers residing with parents or friends or in share accommodations such as HMOs.”

- 4.4 GL Hearn is therefore clear that the 867dpa figure is not an appropriate OAHN. On one level, it is the incorrect demographic starting point in any case, which according to GL Hearn’s work is 871dpa following suitable adjustments to the 2014-based SNHP to incorporate the 2015 MYE and accelerated household formation rates. On the second level, there is an array of evidence, which we examine in further detail below, that York City is one of the least affordable local authority areas in Northern England. A market signals uplift of 10% is the very least that would

be appropriate, and indeed we provide evidence that suggests that an even higher uplift, of 20% should actually be applied.

- 4.5 It is therefore not acceptable for the Council to ignore its own housing expert's advice. The Council's approach to identifying an OAHN of 867dpa, as set out in the front section of the SHMA Assessment Update, is policy-on driven and is therefore contrary to the guidance provided by the Courts. The calculation of OAHN should be based on the normal 'policy-off' methodology.
- 4.6 Notwithstanding these points, the remainder of this section provides a detailed critique of GL Hearn's SHMA Assessment Update.

Starting Point and Demographic-led Needs

Population Change

- 4.7 The Practice Guidance³⁰ sets out that in assessing demographic-led housing needs, the CLG Household Projections form the overall starting point for the estimate of housing need, but these may require adjustments to reflect future changes and local demographic factors which are not captured within the projections, given projections are trend based. In addition, it states that account should also be taken of ONS' latest Mid-Year Estimates [MYEs]³¹.
- 4.8 The SHMA Assessment Update applies the 2014-based SNPP which projects an increase in population of around 31,400 people (15.7%) in York. This is higher than the 2012-based SNPP (12.2%) and also higher than the main SHMA projection (which had population growth of 13.7%). It also considers longer term migration trend using the latest available evidence from the 2014-SNPP and the 2015 Mid-Year Estimate.
- 4.9 The SHMA Assessment Update considers housing need based on the (then) latest CLG 2014-based household projections over the period 2012 to 2032.
- 4.10 The Companies agree with the overall principle of taking the 2014-based SNPP as the demographic starting point and rebasing population growth off the latest Mid-Year Population Estimates.
- 4.11 However, it is important to note that the household projections upon which York's OAHN is based relate to C3 uses only, and not C2. Specifically, and of particular relevance to the City of York, CLG's household projections do not include an allowance for students who might be expected to reside in Halls of Residence (termed, along with people living in nursing homes, military barracks and prisons, as the 'Institutional population').
- 4.12 As summarised by CLG in its 2014-based household projections Methodological Report (July 2016), the household projections are based on the projected household population rather than the total population. The difference between the two is the population in communal establishments, also termed the 'institutional' population. This population comprises all people not living in private households and specifically excludes students living in halls of residence:
- "The institutional population is subtracted from the total resident population projections by age, sex and marital status to leave the private household population, split by sex, age and marital status in the years required for household projections."* [page 12]
- 4.13 This is important for the City of York, because it means that if the household projections are used as the basis for calculating the OAHN (which GL Hearn's methodology does), it specifically excludes a substantial proportion of specialised student accommodation needs.

³⁰ Practice Guidance - ID 2a-015-20140306

³¹ Practice Guidance - ID 2a-017-20140306

Household Formation Rates

4.14 The Practice Guidance³² indicates that in respect of household projections:

“The household projections are trend based, i.e. they provide the household levels and structures that would result if the assumptions based on previous demographic trends in the population and rates of household formation were to be realised in practice...”

“...The household projection-based estimate of housing need may require adjustment to reflect factors affecting local demographic and household formation which are not captured in past trends...rates may have been suppressed historically by under-supply and worsening affordability of housing...”

4.15 The SHMA Assessment Update notes that there is no material difference 2014-based SNHP headship rates and the household formation rates from the 2012-based version.

4.16 The SHMA [§2.19] accepts that there has been a level of suppressed household formation arising from the 25-34 age group and in relation to this matter states [§§5.3-5.4]:

“Furthermore there is also the clear desire of the Government to boost housing delivery, and therefore setting an OAN that is below the most recent official projections while justifiable might be difficult to support.”

“There is however an apparent continued suppression of household formation rates within younger age groups within the official projections. In order to respond to this we have increased the household formation rates in this age group to the levels seen in 2001. The housing need (when linked to 2014-based projections) increases to 873 dwellings per annum. When the mid-year estimates are included the housing need decreases to 871 dpa. This should be seen as the demographic conclusions of this report.”

4.17 GL Hearn clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. We agree with this. However this adjusted demographic figure of 871dpa does not appear to have been carried forward by GL Hearn in calculating the resultant housing need, as noted below.

4.18 Lichfields agrees with making an adjustment for demographic and household formation rates. However, it is illogical to revert back to unadjusted projections of 867 dpa and then take this to apply the adjustment for market signals and affordable housing, when an adjusted demographic need of 871dpa has been identified.

Market Signals

4.19 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:

“Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.” [S17]

4.20 The Practice Guidance³³ requires that the housing need figure as derived by the household

³² Practice Guidance - ID 2a-015-20140306

³³ Practice Guidance - ID 2a-019-20140306

projections be adjusted to take into account market signals. It indicates that comparisons should be made against the national average, the housing market area and other similar areas, in terms of both absolute levels and rates of change. Worsening trends in any market signal would justify an uplift on the demographic-led needs. In addition, the Practice Guidance³⁴ highlights the need to look at longer terms trends and the potentially volatility in some indicators.

4.21 The Practice Guidance also sets out that:

“...plan-makers should not attempt to estimate the precise impact of an increase...rather they should increase planning supply by an amount that, on reasonable assumptions...could be expected to improve affordability...”³⁵.

4.22 This clearly distinguishes between the demographic-led need for housing (generated by population and household growth) and the market signals uplift which is primarily a supply response over and above the level of demographic need to help address negatively performing market signals, such as worsening affordability.

4.23 The SHMA Assessment Update (Section 3) examines a range of market signals as set out in the Practice Guidance, comparing the City of York to Ryedale, Hambleton, Yorkshire and the Humber region and England. It states that the update is a targeted update to the market signals section looking using recently published data, not a full update, as many of the datasets used have not been updated since publication of the SHMA. Attached at Appendix 1 is Lichfields’ own assessment of market signals in City of York which has been used for comparison purposes.

4.24 The findings of the SHMA Assessment Update can be summarised (with Lichfields’ commentary included) as follows:

- 1 **Land Prices** – No analysis has been presented, as was the position on the 2016 SHMA. As noted in our market signals assessment in Appendix 1, CLG land value estimates suggest a figure of £2,469,000 per hectare, well above the equivalent figure for England (excluding London) of £1,958,000.
- 2 **House Prices** – The 2016 SHMA outlined significant house price growth in the HMA between 2011 and 2007. By Q4 2014 house prices in York had reached £195,000 and by Q2 2016 this had increased to £225,000. The Assessment Update notes that, based on 2016 data, the average (median) house price in York was £215,000, compared to £148,000 across the Yorkshire and Humber region. Our market signals analysis in Appendix 1 suggests that the average (median) house price in York in 2016 was £220,000 compared to £199,995 for the North Yorkshire region. It is particularly important to note that over the previous 17 years (1999-2016), median house prices have increased by 244% (or £156,000) in York, compared to 204% nationally and 199% across North Yorkshire as a whole.

As set out in the Practice Guidance, higher house prices and long term, sustained increases can indicate an imbalance between the demand for housing and its supply. The fact that York’s median house prices have effectively tripled in 17 years, from £64,000 in 1999 to £220,000 in 2016, and have risen at a much faster rate than comparable national and sub-regional figures, suggests that the local market is experiencing considerable levels of stress.

- 3 **Rents** – The Assessment Update [§3.8] notes that the most recent data shows that England has grown to £650 (+8%), while York has seen median rental prices increase to £700 (+4%). In contrast rents in the region only grew by 1% to £500 per month. The Assessment Update [§3.9] finds that the most recent data shows a strong upward trend in the number of rental transactions in York although they have been falling over the last six months. In York rental transactions are currently 73% higher than in September 2011, showing a

³⁴ Practice Guidance - ID 2a-020-20140306

³⁵ *ibid*

continued return to the longer term trend than seen in the previous SHMA. By comparison, in Yorkshire and the Humber rental volumes are still slightly above (6%) past figures. Nationally, over this period there has been a slight downward trend.

Our market signals analysis in Appendix 1 shows that Median rents in York are £725 per month, with median rents ranging from £595 per month for a 1 bed flat, to £1,500 per month for a 4+ bed house. All of these figures are significantly higher than the national average, with overall average rents comprising £675 across England, and £585 for North Yorkshire. Rental levels are therefore 7.4% higher than comparable national figures. High and increasing private sector rents in an area can be a further signal of stress in the housing market.

- 4 **Affordability** – The Assessment Update [§3.10] acknowledges the affordability issues faced within the HMA with the Median Ratio being 8.3 times earnings in 2015 (compared to 7.6 nationally), whilst the Lower Quartile [LQ] ratio is 8.9 times earnings (compared to 7.0 nationally). However, it does not discuss this stark indicator of supply/demand imbalance, preferring to note instead that much of the growth in (un)affordability took place prior to 2005, with limited changes to affordability in the past decade[§3.11].

Lichfields' market signals analysis in Appendix 1 shows that although the ratio fell substantially from a peak of 8.14 in 2008 following the financial crash and subsequent economic downturn, it has steadily increased since 2009 at a much faster rate than North Yorkshire as a whole. This suggests that levels of affordability are declining in York at a pace which is not the case for the rest of the sub-region (and indeed, for the country as a whole). In 2016, the median house price in York City was approximately 9.0-times the LQ workplace-based income, compared to 7.8 for North Yorkshire and 7.2 nationally.

Our analysis shows the over the past 19 years, the ratio of lower quartile house prices to lower quartile earnings in York has been consistently above the national average, with the gap widening over time. Indeed, the rate of increase is worrying – between 2002 and 2016, the affordability ratio increased by 39%, significantly above the comparable growth rate for North Yorkshire (+27%) and England (+37%).

The affordability ratio highlights a constraint on people being able to access housing in York, with house price increases and rental costs outstripping increases in earnings at a rate well above the national level.

- 5 **Rates of Development** – the Practice Guidance is clear that historic rates of development should be benchmarked against the planned level of supply over a meaningful period. The Assessment Update [§3.13] examines housing completions data for York dating back to 2004/05 and sets these against the annual housing target from 2004/05 to 2015/16. With the exception of the last year, housing delivery in York has missed the target each year since 2007. Overall delivery targets for these years was missed by 20% which equals 2,051 units below the target level. GL Hearn notes [§3.14] that under-delivery may have led to household formation (particularly of younger households) being constrained and states that this point is picked up in the report which uses a demographic projection based analysis to establish the level of housing need moving forward.

The Assessment Update [§3.15] considers that this past under-delivery is not a discrete part of the analysis but is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection. It notes that that this market signal will require upward adjustment through consideration of migration and household formation rates rather than just a blanket increase based on the level of 'shortfall'.

It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 525 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-

delivery is 1,793 dwellings over the past 12 years. Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures. For example, CYC's 2012/13 Annual Monitoring Report states that 482 (net) dwellings were completed in 2012/13, but this figure includes 124 student cluster flats. The 6 months completions data set out in CYC's Housing Monitoring Update (Table 3, October 2017) suggested that the Council was continuing to rely on student housing completions to boost its housing numbers, with 637 of the total 1,036 net completions during the first half of the 2017/18 monitoring year comprising privately managed off-campus student accommodation.

- 6 **Overcrowding** - No analysis has been presented. Our market signals analysis in Appendix 1 shows overcrowding against the occupancy rating in York is not severe, with 7.10% of households living in a dwelling that is too small for their household size and composition. This compares to 8.7% nationally. However, it represents a significant increase of 2 percentage points on the 5.1% recorded in York in 2001, which is above the national trend (which had increased by 1.6 percentage points from 7.1% in 2011). From our analysis we also note that when compared against neighbouring Yorkshire districts, York is the worst performing district regarding the rate of change in overcrowded households.

4.25 In response to both market signals and affordable housing need, the Assessment Update advocates a 10% uplift to the OAN [§3.31].

4.26 Lichfields agrees that based on the market signals analysis there are clear housing market pressures, particularly regarding affordability within the HMA. The Practice Guidance³⁶ is clear that any market signals uplift should be added to the demographic-led *needs* as an additional *supply* response which could help improve affordability, and further goes on to clarify that:

"...plan makers should not attempt to estimate the precise impact of an increase in housing supply. Rather they should increase planned supply by an amount that, on reasonable assumptions...could be expected to improve affordability..." (Lichfields emphasis)

4.27 The Practice Guidance³⁷ is also clear that:

"...the more significant the affordability constraints...and the stronger the other indicators of high demand... the larger the improvement in affordability needed and, therefore the larger the additional supply response should be."

4.28 Whilst it is not clear cut from the Practice Guidance how an upwards adjustment should be calculated, some recent Local Plan Inspector's findings have provided an indication as to what might be an appropriate uplift. The Inspector's Report into the Eastleigh Borough Local Plan (11th February 2015)³⁸ provide interpretation of the Practice Guidance in terms of a reasonable uplift on demographic-led needs in light of market signals:

"It is very difficult to judge the appropriate scale of such an uplift. I consider a cautious approach is reasonable bearing in mind that any practical benefit is likely to be very limited because Eastleigh is only a part of a much larger HMA. Exploration of an uplift of, say, 10% would be compatible with the "modest" pressure of market signals recognised in the SHMA itself." [§§40-41].

4.29 The Eastleigh Inspector ultimately concluded that a modest uplift of 10% is a reasonable proxy for quantifying an increase from purely demographic based needs to take account of 'modest' negatively performing market signals. Furthermore, Inspectors have used figures of up to 20% for 'more than modest' market signal indicators, notably in the case of Canterbury, where the

³⁶ Practice Guidance - ID:2a-020-20140306

³⁷ Practice Guidance - ID:2a-020-20140306

³⁸ http://www.eastleigh.gov.uk/pdf/ppi_Inspectorsreport12Feb15.pdf

Inspector concluded that:

“Taking these factors in the round it seems to me that 803dpa would achieve an uplift that took reasonable account of market signals, economic factors, a return to higher rates of household formation and affordable housing needs.”³⁹

4.30 From the indicators set out by Lichfields in Appendix 1, as shown in Table 4.1, and from the commentary and analysis undertaken by GL Hearn, we consider that the current levels of market stress should be considered more severe than the ‘modest’ uplift the SHMA suggests. An application of other approaches (discussed above) would suggest an uplift of 20% could be appropriate for the City of York.

4.31 Drawing together the individual market signals above begins to build a picture of the current housing market in and around York; the extent to which demand for housing is not being met; and, the adverse outcomes that are occurring because of this. The performance of York against County and national comparators for each market signal is summarised in Table 4.1. When quantified, York has performed worse in market signals relating to both absolute levels and rates of change against North Yorkshire and England in 13 out of 28 measures.

Table 4.1 Summary of York Market Signals against North Yorkshire and England

Market Signal	North Yorkshire		England	
	Absolute Figure	Rate of Change	Absolute Figure	Rate of Change
House Prices	Worse	Worse	Better	Worse
Affordability Ratios	Worse	Worse	Worse	Worse
Private Rents	Worse	Worse	Worse	Better
Past Development	~	~	~	~
Homelessness (Households in Temporary Accommodation)	Better	Better	Better	Better
Homelessness (Households in Priority Need)	Better	Better	Better	Better
Overcrowding (Overcrowded Households)	Worse	Worse	Better	Worse
Overcrowding (Concealed Families)	Same	Same	Better	Better

Source: Lichfields Analysis

Footnote: Worse = performing worse against the average
 Better = performing the same or better against the average
 ~ = data not available

4.32 It is clear that the City is currently facing very significant challenges in terms of house prices and private rental values and under delivery, causing affordability difficulties. The GL Hearn analysis is an improvement from the 2016 SHMA and clearly is an improvement from the Council’s approach to identifying an OAHN of 867dpa, but even so, is inadequate to address the current housing crisis. For the aforementioned reasons a 20% uplift is preferable.

4.33 Whilst it can only be applied limited weight at the current time, Lichfields also note that the CLG methodology, based on the median workplace based affordability ratio, would suggest an uplift of 27% for market signals.

4.34 GL Hearn also conflates market signals and affordable housing in the 10% uplift, which is a fundamental misreading of the Practice Guidance, and should be addressed separately (see below for affordable housing commentary).

³⁹Canterbury District Council Local Plan Examination August 2015, Inspector’s Letter and Note on main outcomes of Stage 1 Hearings, paragraph 26.

Economic Growth

- 4.35 With regards to considering the need to uplift a housing figure to take account of the economic potential of the local authority, the Framework sets out the following:

“The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.” [S19]

- 4.36 The SHMA Assessment Update presents no alternative to the work in the June 2016 SHMA. It states [S4.3] that the housing need required to meet the economic growth is lower than the demographic need. Furthermore evidence of more recent forecasts suggests that the economic growth will be even lower than anticipated. Therefore GL Hearn considers that on balance, there is unlikely to be any justification for an uplift to housing numbers in the City to support expected growth in employment. The Update states that the uplift for market signals would see the likelihood for an economic uplift reduce.

- 4.37 Lichfields considers that this approach fails to address the concerns raised in our previous submissions on behalf of the Companies to the Preferred Sites Consultation. Included in those submissions was ‘Technical Report 1’ which noted that June 2016 SHMA presents a suppressed picture of likely economic growth, drawing upon economic forecasts produced in 2014, which are outdated. The submission noted that we could only provide a limited analysis on the robustness of GL Hearn’s assessment of the implications of the job forecasts as they had not set out their assumptions in detail, and we reserved the right to review these assumptions if/when they were provided by GL Hearn.

- 4.38 Given that the SHMA Assessment Update provides no further information on this matter it has not been possible for Lichfields to make any further analysis at this stage. On this basis, the concerns raised on behalf of the Companies in Technical Report 1 still stand, particularly as the LPP Policy SS1 identifies a specific target to provide sufficient land to accommodate an annual provision of around 650 new jobs to support sustainable economic growth.

Affordable Housing Needs

- 4.39 In line with the Framework⁴⁰, LPAs should:

“...use their evidence based to ensure their Local Plan meets the full, objectively assessed needs for market and affordable housing...”

“...prepare a SHMA which...addresses the need for all types of housing, including affordable.”

- 4.40 The Practice Guidance⁴¹ sets out a staged approach to identifying affordable housing needs, and states that affordable housing need should be:

“...considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments...an increase in the total housing figures included in the plan should be considered where it could help deliver the required number of affordable homes.”

- 4.41 As set out in Section 2.0, two High Court Judgements go to the heart of addressing affordable housing within the identification of OAHN. ‘Satnam’ establishes that affordable housing needs are a component part of OAHN, indicating that the ‘proper exercise’ is to identify the full

⁴⁰ Framework - Paragraphs 47 and 159

⁴¹ Practice Guidance - ID: 2a-022-20140306 to 2a-029-20140306

affordable housing needs and then ensure that this is considered in the context of its likely delivery as a proportion of mixed market/affordable housing development. ‘Kings Lynn’ builds on ‘Satnam’, identifying that affordable housing needs “*should have an important influence increasing the derived OAHN since they are significant factors in providing for housing needs within an area.*” [§36] This is clear that affordable housing needs are a substantive and highly material driver of any conclusion on full OAHN.

4.42 The SHMA Assessment Update states that it does not review affordable housing need but the situation is unlikely to have changed significantly from the 2016 SHMA. The 2016 SHMA identified a net affordable housing need of 573 homes per annum or 12,033 dwellings over the 2012-2033 period. This suggests a worsening situation when compared with the previous figure of 486 affordable homes per annum needed in the previous 2011 SHMA, produced by GVA.

4.43 The SHMA Assessment Update [§3.3] suggests that large parts of this need are either existing households (who do not generate need for additional dwellings overall) or newly forming households (who are already included within the demographic modelling).

4.44 It further states [§§3.17-3.18] that:

“The City of York Council currently have an affordable housing policy of up to 30%. The SHMA identified a net affordable housing need of 573 dwellings. Based on this level of need and the current policy the City would require to deliver 1,910 dwellings per annum. To put this in context the City has only delivered more than 1000 homes once since 2004-5. Using a lower policy target would result in an even higher need.”

“While there is clearly an affordable housing issue in the City many of the households in need are already in housing (just housing that is not suitable for some reason such as overcrowding) and therefore do not generate a need for additional dwellings”.

4.45 The provision of the net affordable housing need identified is likely to be unrealistic given past dwelling completions in City of York. With regard to this matter the SHMA Assessment Update states [§3.28]:

“Given the balance of judgement it would appear that a 10% adjustment could be justified in York on the basis of the previously established affordable housing need the updated market signals evidence.”

4.46 In taking this approach, GL Hearn is effectively conflating the uplift resulting from affordable housing need with uplift resulting from market signals analysis. These are two separate steps in the Practice Guidance and should not be combined in this manner.

4.47 Lichfields has not analysed in detail the figures forming the assessment of affordable housing needs, due in part to limitations on access to the underlying data; instead, Lichfields has focused on how this need has informed the OAHN conclusion.

Addressing Affordable Housing Needs

4.48 Having identified the affordable housing needs, the Practice Guidance requires an assessment of its likely delivery to consider whether there is a need to uplift or adjust the OAHN and planned housing supply in order to address affordable housing needs. This is what the ‘Satnam’ judgment calls the ‘proper exercise’ and is undertaken by the 2016 SHMA within Figure 30. This concludes that to meet affordable housing need in full the City of York would need to deliver 573dpa. At a delivery rate of 30% of overall housing, this means that the City would need to deliver 1,910dpa to address affordable housing needs in full.

4.49 Taking into account affordable need within the calculation of OAHN does not necessarily involve a mechanistic uplift, or an indication that such identified needs must be met in full. It

has to be a scenario which, on a reasonable basis, could be expected to occur. This is set out in the Kings Lynn judgment which concluded:

"...This is no doubt because in practice very often the calculation of unmet affordable housing need will produce a figure which the planning authority has little or no prospect of delivering in practice. That is because the vast majority of delivery will occur as a proportion of open-market schemes and is therefore dependent for its delivery upon market housing being developed." [§35]

This is also consistent with the Practice Guidance⁴² which sets out the assessment of need "does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur."

- 4.50 However, in line with the High Court Judgments, this still needs to be an uplift of consequence, insofar as it can reasonably be expected to occur. This will inevitably need to involve judgement, based on relevant evidence, as to the extent to which any scale of uplift could be reasonably expected to occur.
- 4.51 The SHMA ultimately does not use the identified acute affordable housing needs in a way in which it has "an important influence in increasing the derived F[ull] OAN" as per the Kings Lynn judgment.
- 4.52 The Local Plan Expert Group [LPEG], in its Report to the Secretary of State for Communities and Local Government in March 2016, recommended various changes to the Practice Guidance with the remit of considering how local plan-making could be made more efficient and effective. Although very limited weight can be given to the LPEG approach given that it is not policy or endorsed by Government, it is at least helpful in seeking to understand the general 'direction of travel' of defining OAHN and what an appropriate response might be to define the influence of market signals and affordable housing needs. LPEG recommended changes to the preparation of SHMAs and determination of OAHN.
- 4.53 With regard to affordable housing need in the preparation of SHMAs and determination of OAHN it proposed that where the total number of homes that would be necessary to meet affordable housing need is greater than the adjusted demographic-led OAHN, then this figure (953dpa) should be uplifted by a further 10%. The 10% uplift was intended to provide a streamline approach that removes judgement and debate from the process of setting OAHN (as opposed to what might be the most accurate under current Practice Guidance).
- 4.54 Given the significant affordable housing need identified in City of York Lichfields considers that this 10% uplift would be appropriate in this instance and should be applied to the OAHN.

MHCLG Standardised Approach to OAHN

- 4.55 As noted in Section 2, MHCLG has recently published for consultation the draft Planning Practice Guidance, which sets out the standard method for calculating local housing need, including transitional arrangements first set out in "Planning for the right homes in the Right Places" ..
- 4.56 Whilst relatively limited weight can be attached to this document at present given its consultation status, for the City of York, if adopted as MHCLG proposes, the approach would mean that the OAHN over the period 2016-2026 is 1,070 dpa.
- 4.57 This is based on an annual average level of household growth of 844 dpa between 2016 and 2026, uplifted by a very substantial 27% to address the fact that the latest median workplace-based affordability ratio is 8.3.

⁴² Practice Guidance - ID:2a-003-20140306

Conclusions on the City of York's Housing Need

- 4.58 The Council's approach to identifying an assessed need of 867 dpa in the introductory section of the SHMA Assessment Update is fundamentally flawed. This is a 'policy-on' intervention by the Council which should not be applied to the OAHN. It has been confirmed in the Courts that FOAN is 'policy off' and does not take into account supply pressures. The Council's approach to identifying the FOAN, as set out in the SHMA Assessment Update, would therefore be susceptible to legal challenge. The calculation of OAHN should therefore be based on the normal 'policy-off' methodology.
- 4.59 There are a number of significant deficiencies in the SHMA Assessment Update which means that even the higher 953 dpa OAHN figure identified in the Assessment Update is not soundly based. In particular:
- 1 GL Hearn clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. However this demographic conclusion of 871 dpa does not appear to have been carried forward by GL Hearn in calculating the resultant housing need, as noted below. Lichfields agree with making an adjustment for demographic and household formation rates. However, it is illogical to revert back to unadjusted projections of 867 dpa and then take this to apply the adjustment for market signals and affordable housing, when a demographic need of 871 dpa has been identified.
 - 2 The Assessment Update fails to distinguish between the affordable housing needs of the City of York and the supply increase needed to address market signals to help address demand. Instead the SHMA blends the two elements within the same figure resulting in a conflated figure which is lower than the level of uplift deemed reasonable by the Eastleigh and Canterbury Inspectors, despite the fact that market signals pressures in York indicate signs of considerable stress and unaffordability. The Practice Guidance is clear that the worse affordability issues, the larger the additional supply response should be to help address these.
 - 3 Given the significant affordable housing need identified in City of York Lichfields consider that a 20% uplift would be appropriate in this instance and should be applied to the OAHN.
- 4.60 The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2014-based household projections indicate a net household growth of 867dpa between 2014 and 2024 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly lower) 2015 MYE, and through the application of accelerated headship rates amongst younger age cohorts takes the demographic starting point to 871 dpa.
 - 2 **Market Signals Adjustment:** GL Hearn's uplift is 10%. However, for the reasons set out above, Lichfields considers that a greater uplift of 20% would be more appropriate in this instance. When applied to the 871 dpa re-based demographic starting point, this would indicate a need for 1,045 dpa.
- The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by Experian, past trends or the Blended job growth approach. As such, no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met;
- The scale of affordable housing needs, when considered as a proportion of market housing delivery, implies higher levels of need over and above the 1,045 dpa set out above. It is considered that to meet affordable housing needs in full (573 dpa), the OAHN range should be adjusted to 1,910 dpa @30% of overall delivery. It is, however, recognised that this level

of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields consider that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a final figure of **1,150 dpa**.

This is **7.5% higher** than the MHCLG proposed standardised methodology figure of 1,070 dpa.

- 4.61 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this range would ensure compliance with the Framework by significantly boosting the supply of housing. It would also reflect the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.
- 4.62 It is emphasised again that CLG's household projections explicitly exclude the housing needs of students living in halls of residence. GL Hearn has used the latest CLG 2014-based household projections to underpin its housing OAN for York. The market signals adjustment it makes does not address the separate specialised housing needs of students, which would be additional to the target identified.

5.0 **Approach to Assessing Housing Land Supply**

Introduction

- 5.1 This section sets out the requirements of the Framework and the Practice Guidance in establishing the supply of housing land to meet the housing needs of an area. This will provide the benchmark against which the SHLAA and emerging Local Plan will be assessed, to ensure the necessary requirements are met. In addition, relevant High Court judgments have been referenced to set out the requirements of a housing supply calculation in a legal context.

Policy Context

National Planning Policy Framework

- 5.2 The Framework outlines a two-step approach to setting housing requirements in Local Plans. Firstly, to define the full objectively assessed need for development and then secondly, to set this against any adverse impacts or constraints which would mean that need might not be met. This is enshrined in the approach defined in the Framework⁴³ which sets out the presumption in favour of sustainable development.

- 5.3 The Framework⁴⁴ stresses the intention of the Government to significantly boost the supply of housing. As a consequence, the focus of national policy is to ensure the delivery of housing and, in that context, the Framework requires LPAs to:

"identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15..."⁴⁵

- 5.4 There is therefore a need for the Council to identify both a 5-year supply and a longer-term supply as part of the preparation of the Local Plan.

- 5.5 For the purpose of the supply assessment, the Framework advises that only deliverable sites should be included within the first 5-years. To be considered deliverable:

"...sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing

⁴³ Framework - §14

⁴⁴ Framework - §47

⁴⁵ Framework - §47

plans.”⁴⁶

- 5.6 The Framework states that for the period 5-15 years developable sites may be included, which are sites that are:

“...in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.”⁴⁷

- 5.7 The Framework sets out the approach to defining such evidence which is required to underpin a local housing supply. It sets out that in evidencing housing supply:

“LPAs should have a clear understanding of housing needs in their area. They should:

...

“...prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.”⁴⁸

National Planning Practice Guidance

- 5.8 The Practice Guidance⁴⁹ provides further guidance on how an assessment of the housing supply is to be undertaken. It urges LPAs to assess the suitability, availability and achievability of sites, including whether the site is economically viable, to determine whether a site can be considered deliverable over the plan period.

- 5.9 In this context the Practice Guidance makes it clear that a site will be considered available when:

“...there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners. This will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell. Because persons do not need to have an interest in the land to make planning applications, the existence of a planning permission does not necessarily mean that the site is available. Where potential problems have been identified, then an assessment will need to be made as to how and when they can realistically be overcome. Consideration should also be given to the delivery record of the developers or landowners putting forward sites, and whether the planning background of a site shows a history of unimplemented permissions.”⁵⁰

- 5.10 The Practice Guidance indicates that a site is considered achievable for development where:

“...there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period.”⁵¹

- 5.11 The LPA, when preparing a Local Plan, is urged to use the information on suitability, availability, achievability and constraints to assess the timescale within which each site is capable of development. The Practice Guidance suggests that this may include indicative lead-in times and build-out rates for the development of different scales of sites. On the largest sites

⁴⁶ Framework – Footnote 11

⁴⁷ Framework – Footnote 12

⁴⁸ Framework - §159

⁴⁹ Practice Guidance – ID:3-018-20140306

⁵⁰ Practice Guidance – ID:3-020-20140306

⁵¹ Practice Guidance – ID:3-021-20140306

allowance should be made for several developers to be involved. The Practice Guidance⁵² makes it clear that the advice of developers and local agents will be important in assessing lead-in times and build-out rates by year.

- 5.12 The Practice Guidance⁵³ accepts that a windfall allowance may be justified if a local planning authority has compelling evidence as set out in the Framework. In addition, it states that:

“Local planning authorities have the ability to identify broad locations in years 6-15, which could include a windfall allowance based on a geographical area (using the same criteria as set out in paragraph 48 of the National Planning Policy Framework).”⁵⁴

- 5.13 The Practice Guidance requires LPAs to collate this above information and present it in an indicative trajectory which:

“...should set out how much housing and the amount of economic development that can be provided, and at what point in the future. An overall risk assessment should be made as to whether sites will come forward as anticipated.”⁵⁵

- 5.14 In relation to the assessment of whether sites are deliverable within the first 5-years the Practice Guidance⁵⁶ indicates that deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within 5-years. It goes on to state:

“...planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.”⁵⁷

Recent Legal Judgments

- 5.15 The High Court decision in the case of Exeter City Council and Secretary of State⁵⁸ is relevant to York as it considers the appropriateness of including student accommodation in the calculation of the housing supply in accordance with the Framework. Exeter is a University City similar to York and included student accommodation within their housing land supply.

- 5.16 The Inspector who determined the appeal⁵⁹ considered the inclusion of student accommodation in the 5-year supply based on the Practice Guidance which states:

“All student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus, can be included towards the housing requirement, based on the amount of accommodation it releases in the housing market. Notwithstanding, local authorities should take steps to avoid double counting.”⁶⁰

⁵² Practice Guidance – ID:3-023-20140306

⁵³ Framework - §48

⁵⁴ Practice Guidance – ID:3-024-20140306

⁵⁵ Practice Guidance – ID:3-025-20140306

⁵⁶ Practice Guidance – ID:3-031-20140306

⁵⁷ Practice Guidance – ID:3-031-20140306

⁵⁸ Exeter City Council v Secretary of State for Communities and Local Government [2015] EWHC 1663 (Admin)

⁵⁹ Land at Home Farm, Church Hill, Pinhoe – Insp. Decision 29.10.14 [Ref: APP/Y1110/A/14/2215771]

⁶⁰ Practice Guidance – ID:3-036-20140306

5.17 The Inspector, in her decision letter, stated:

“The Council submit that the provision of student accommodation releases housing that would otherwise be occupied by students and thereby indirectly releases accommodation within the housing market. For this reason it believes that all student accommodation should be included within the housing delivery and housing land supply figures. This view is not consistent with the PPG because it is not based on any assessment of the extent to which the provision of student accommodation has released general market housing.”

5.18 She went on:

“Where student population is relatively stable, and the number of general market dwellings occupied by students declines as a consequence of the provision of student accommodation, I consider the inclusion of such accommodation as part of the housing supply would be consistent with the guidance within the PPG. However, within Exeter, due to the considerable increase in the number of students relative to the provision of purpose-built student accommodation, there has not been a reduction in the number of general market dwellings occupied by students. On the contrary, there has been a significant increase...”⁶¹

5.19 The High Court agreed that the Council did not set out any specific evidence to justify that the development of student accommodation would release housing to the market elsewhere. It stated that:

“...it simply relied upon paragraph 3.38 of the PPG in support of its proposition that, irrespective of the extent (if any) that student accommodation was included in the housing requirement figure adopted.”⁶²

5.20 As a consequence, the High Court stated that the Appeal Inspector:

“... was correct not to accede to the Council’s submission that all student accommodation supplied should or could be set off against the housing requirement. She was correct not to be persuaded by the Developers’ contention that she could not under any circumstances take into account student accommodation. She was correct to look at the facts of this case and determine whether, on the evidence before her, there was any basis for taking any of the new student accommodation into account ... she properly accepted (in paragraph 47) that, although there was currently no evidence to show that the provision of student accommodation has released housing into the general market in Exeter, the situation may in the future change if (e.g.) the delivery of student accommodation significantly exceeded the increase in student population.”⁶³

Conclusion

5.21 It is against this policy context that the proposed housing supply should be considered. In practice, applying the Framework and Practice Guidance to achieve a robust supply that will meet the needs of the community is an evidence based process which should use transparent and justifiable assumptions on lead-in times, delivery rates and density. In addition, it should be clear that the sites are available and achievable over the plan period.

5.22 In the case of York, there are inherent dangers in including student housing in the supply if there is no evidence that there has been a reduction in the number of general market dwellings

⁶¹ Land at Home Farm, Church Hill, Pinhoe – Insp. Decision 29.10.14 [Ref: APP/Y1110/A/14/2215771] - §44 & §47

⁶² Exeter City Council v Secretary of State for Communities and Local Government [2015] EWHC 1663 (Admin) - §37

⁶³ Ibid - §44

occupied by students as a direct result of the provision of purpose-built student accommodation.

6.0 Council's Housing Supply Evidence

Introduction

6.1 Detailed representations on the Council's housing land supply evidence were submitted on behalf of the Companies to the City of York Local Plan - Preferred Sites Consultation (in 'Technical Report 2: Housing Supply'). These representations concluded the following:

- 1 The Council had not produced a trajectory or a detailed assessment of the 5-year supply position as required by the Framework. No evidence had therefore been produced to demonstrate the Council's housing supply position.
- 2 The assessment of the balance between the housing requirement and supply demonstrated that there was a significant shortfall for both the plan period and 5-year period. In these circumstances, the emerging plan was not 'sound' as required by the Framework, as the Council has not demonstrated an adequate short and longer-term supply as required by national guidance.
- 3 The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that would deliver a 'sound' plan and enable the much needed investment in new housing to meet the community's needs.

These concerns have not been addressed and reference is accordingly made below in Lichfields' assessment of the Council's latest evidence.

6.2 Before considering the adequacy of the Council's supply, it is important to consider the nature and extent of the Council's evidence base in relation to the supply. Evidence on the Council's supply is contained in a number of different places:

- 1 The City of York Strategic Housing Land Availability Assessment [SHLAA] (September 2017);
- 2 The City of York Local Plan Publication Draft (March 2018);
- 3 Half Year Housing Monitoring Update for Monitoring Year 2017/18 (1st April 2017 and 30th September 2017); and,
- 4 The City of York Windfall Allowance Technical Paper 2017 (SHLAA Annex 5).

Housing Completions

6.3 The Council has provided detailed site by site delivery figures for the past five monitoring years (2012/13 to 2016/17). In addition, the Council's annual completion figures since 2007/08 are contained in the September 2017 Half Year Housing Monitoring Update.

6.4 The Council has included student specific accommodation within their completions figures and their forward supply figures. Based on recent High Court decisions it is clear that robust evidence must be provided to justify the inclusion of student accommodation in the housing supply, specifically that the accommodation will release housing into the general market.

6.5 York Council has not provided any evidence to demonstrate that the provision of additional student accommodation would result in the release of housing into the market as required by national policy. Furthermore, the Council's June 2016 SHMA outlines that the York St John University is, over the next five years, seeking to "*grow our student numbers from 6,400 to 7,300*"⁶⁴. This reflects an aim to achieve growth in student numbers of 14.1% by 2020.

⁶⁴ City of York, June 2016 Strategic Housing Market Assessment, §10.71

- 6.6 Based on national policy, the recent High Court decision coupled with the expected growth in student numbers in York, it is considered that it is inappropriate to include student accommodation within the Council's supply. This is because there is no justification regarding how it will result in the release of current housing into the general housing market.
- 6.7 In this context, the Council has included the delivery of 124 units in monitoring year 2012/13 from the site at 6-18 Hull Road. However, a total of 97 of the units are not self-contained and share communal/living areas. As such, these bedspaces cannot contribute towards the Council's housing completion figures as there is no evidence that they have released housing to the general market. That said, we have included the delivery of 27 units from this site as they are self-contained studio apartments which could be sold on the open market at some stage in the future.
- 6.8 The Council has also included the delivery of 91 units in the monitoring year 2016/17 for the site at Hallfield Road. The majority of the units on this scheme are not self-contained and share communal/living areas. As such, these bedspaces cannot also contribute towards the Council's housing completion figures as there is no evidence that they have released housing to the general market. However approximately 9% of these units are studio apartments which could be sold on the open market at some stage in the future, so we have included 8 units from this scheme on this basis.
- 6.9 Table 6.1 sets out the Council's past completion figure and provides a cumulative running total since 2012/13. It also sets out Lichfields' assumed completions figures and provides a running total.

Table 6.1 Housing Completions

Year	Council Position		Lichfields' Position	
	Comp.	Cum +/-	Comp.	Cum +/-
2012/13	482	482	385	385
2013/14	345	827	345	730
2014/15	507	1,334	507	1,237
2015/16	1,121	2,455	1,121	2,358
2016/17	977	3,432	894	3,252
Totals	3,432		3,252	

Source: City of York Council

2017 SHLAA

- 6.10 The Framework⁶⁵ sets out that local planning authorities should prepare a SHLAA to establish assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period. Furthermore, the Practice Guidance⁶⁶ outlines that the assessment of land availability is an important step in the preparation of Local Plans. The provision of an up to date SHLAA approach ensures that all land is assessed together as part of plan preparation to identify which sites or broad locations are the most suitable and deliverable for a particular use.
- 6.11 The Council has published its City of York Strategic Housing Land Availability Assessment

⁶⁵ Framework - §159⁶⁶ Practice Guidance - ID: 12-018-20140306

September 2017. This document supersedes previous versions of the SHLAA to present the sites assessed for their development potential to form part of the evidence base for York's Local Plan. The 2017 SHLAA accompanied the Local Plan Pre Publication [LPPP] Draft, setting out the methodology for site selection in the plan, and detail of which sites have been allocated.

Site Selection

- 6.12 The 2017 SHLAA outlines the previous consultation undertaken by City of York Council in relation to site identification and consultation/engagement. It states [§2.3.1] that a two stage suitability process was undertaken in order to sieve out the potential sites most suitable for development:
- 1 Stage 1: Sustainable Location Assessment which uses the shapers set out in the emerging Spatial Strategy to assess potential site suitability. The SHLAA states that the methodology was also informed by work on the Sustainability Appraisal.
 - 2 Stage 2: Technical Officer Group which considers more site specific suitability of sites which successfully passed Stage 1 and determined whether they should progress as development sites. The SHLAA states that any sites which were wholly or partly removed from the site selection process following the Stage 1 analysis will be given the opportunity to respond to the assessment with supporting evidence.
- 6.13 Further details on the scoring process and methodology used are provided in Annex 3 of the SHLAA. As the site selection and criteria assessment process was developed in 2013, the SHLAA indicates that subsequent guidance on Impact Risk Zones for SSSIs, Flood Risk and Agricultural Land Value has been taken into consideration. It also explains the basis on which the availability and deliverability of sites has been determined.
- 6.14 The SHLAA [§§2.5.1-2.5.2] outlines how the availability of sites has been determined. It states:
- “The majority of sites assessed were received through the Call for Sites process or subsequent Local Plan consultations. Through this process we asked that landowner details were provided to us to ensure that we could confirm availability and that the site had a willing landowner. We also asked for details of whether the site had been promoted commercially or by an agent as well as when the site would be become available for development. Since 2012, the availability of sites has been reconfirmed through consultation.”*
- “For the allocated sites set out in the Section 3.3, availability of the site has been confirmed and the timescales reflect our understanding of when the site will be brought forward in the plan period”.*
- 6.15 The SHLAA [Section 2.6] sets out a series of archetypes which have been used to determine the scale of potential development on sites less than 5ha (non-strategic sites). It notes that for Strategic Sites (over 5 ha) a bespoke approach is taken to reflect the site characteristics and detailed work undertaken.

Housing Supply

- 6.16 A summary of housing completions and permissions for the period April 2016 to March 2017 is provided.
- 6.17 The SHLAA identifies a windfall allowance of 169 dwellings per annum and states that windfalls will be included from year 4 of the trajectory. Included at Annex 5 of the SHLAA is City of York Local Plan Windfall Allowance Technical Paper (2017) which explains how the windfall figure has been derived.
- 6.18 The SHLAA does not provide any detailed calculation to demonstrate how a 5-year housing land

supply is achieved. This is wholly unacceptable and does not demonstrate the deliverable 5 year housing land supply as required by national guidance.

City of York Local Plan Publication Draft [LPP]

- 6.19 The Council published its LPP in February 2018 for public consultation. Policy H1 identifies the sites which have been allocated to meet the housing requirement set out in Policy SS1 over the plan period 2017/18 to 2032/33 (867dpa).
- 6.20 Table 5.1 in the LPP identifies the sites which have been allocated in the LPP and provides the estimated dwelling yield and estimated phasing for these sites (i.e. Short Term: Years 1-5, Medium Term: Years 1 -10 etc.). For those sites where the phasing extends beyond years 1-5, the anticipated delivery of the sites in each 5 year phase is not confirmed.
- 6.21 The LPP (Figure 5.1 and Table 5.2) provides housing trajectories for the period April 2017 to March 2033 (16 years) against the identified housing target of 867dpa. The LPP [5.6] states that the trajectory shows there is an adequate supply to meet the objectively assessed need throughout the plan period. However, there is a lack of detailed evidence on the supply to demonstrate this position.
- 6.22 Lichfields notes that the period March 2017 to April 2018 has been identified as Year '0', rather than Year '1', which would be the usual approach. Years 0 to 4 (rather than Years 1 to 5) is therefore the period against which the Framework requirement of achieving a 5-year supply would be assessed.
- 6.23 The information provided in the trajectories is high level. They do not provide an annual housing delivery trajectory for each site over the plan period. The Council simply provides an assumed total completion figure for all sites each year without detailed reasoning on the methodology for deriving this figure. In addition, there is a lack of evidence in the SHLAA on lead-in times and delivery rate assumptions for the Council's unimplemented permissions and draft allocations.
- 6.24 With regard to providing a rolling 5 year supply of deliverable sites the LPP [5.9] states:

"The Council accepts that there has been persistent under delivery of housing as defined in the NPPF and consequently has included enough land in the early years of the trajectory to ensure there is a 20% buffer in the 5 year supply. This land has been brought forward from later in the plan period. Progress on meeting delivery targets will be assessed through the authority monitoring report and the 20% buffer will be rolled forward within the 5 year supply until such time as the under delivery has been satisfactorily addressed. This does not mean that overall more land has been allocated in the plan, what it does mean is that the development trajectory (see Figure 5.1) ensures that in the early years of the plan additional land is available to address previous under delivery".

However, as with the SHLAA, the LPP does not provide any detailed calculation to demonstrate how the 5-year housing land supply is achieved.

- 6.25 With regard to site yield and delivery, the LPP [5.12] notes that the yield for each of the strategic sites has been established through working with site promoters to produce an individual assessment of the yield for each site. For non-strategic sites the LPP refers to the yield archetypes identified in the SHLAA [2.6.2].
- 6.26 With regard to the delivery and phasing of allocated sites the LPP [5.13-5.14] states:

"Each allocated site has been assessed for its likelihood of being delivered to ensure that we are satisfied that each site is likely to come forward for development during the plan period, although ultimately this can be dependent upon external factors such as finance

availability for house builders, mortgage availability for purchasers and the aspirations of landowners. In all cases there have been discussions with the land owner about their current plans. We have at this stage placed each allocated site within a timescale of short (1-5 years), medium (6-10 years), long term (11-15 years) or life time of the plan (1-21 years). The timescale of each site is an indication of when we think the site is likely to come forward and reflects the timescale put forward by the landowner or developer in the discussions referred to above, the requirement to develop the most sustainable sites within a settlement first and viability”.

“The phasing of sites is important for the successful delivery of the plan’s priorities and sites should only come forward in different phases if they would not prejudice the delivery of other allocated sites. For example where the construction of essential infrastructure is linked to the delivery of a package of sites, these sites will need to be brought forward in an orderly fashion to ensure the infrastructure is in place to mitigate the impacts of development”.

- 6.27 As with the SHLAA, there is a lack of evidence in the LPP on lead-in times and delivery rate assumptions for the Council’s unimplemented permissions and draft allocations. This is a flawed approach which does not meet the requirements of national guidance.

Conclusion

- 6.28 The Council has compiled and recently published housing completions figures for the past ten monitoring years as well as published detailed site by site completion figures for the past 5 years. However, the Council’s housing land supply figures do not provide an annual housing delivery trajectory for each site over the plan period. The Council simply provides an assumed total delivery figure for each site without detailed reasoning on the methodology for deriving this figure.
- 6.29 Insufficient information has also been provided on the assumptions used to derive the Council’s proposed delivery in the LPP and associated evidence base documents. There is a distinct lack of evidence on lead-in times and delivery rate assumptions for the Council’s unimplemented permissions and draft allocations.
- 6.30 Furthermore, the Council includes several student sites in its future supply, which is inappropriate, as there is no justification regarding how these developments will result in the release of housing into the general housing market as required by the Practice Guidance. In particular, no robust evidence has been provided to clearly demonstrate that there has been a reduction in the number of general market dwellings occupied by students as a direct result of the provision of purpose-built student accommodation. As a result, the Council’s land supply figures risk being severely distorted.

7.0 Housing Requirement

Introduction

- 7.1 The Framework⁶⁷ and Practice Guidance require LPAs to demonstrate a developable 5-year supply and a deliverable supply for the period 5-15 years. This requires an understanding of the relevant housing requirements for each of these time periods.
- 7.2 This Technical Report sets out a critique of the Council's OAHN and the need to increase the target to meet the needs of the local community. This section briefly sets out the relevant figures to be used for both the 5-year assessment and the plan period assessment.

Plan Period Housing Requirement

- 7.3 The Council's SHMA Assessment Update seeks to provide the evidence to justify the housing requirement for the City of York Local Plan. It sets the Plan period as 2012-2032.
- 7.4 This Technical Report sets out the flaws in the SHMA Assessment Update and the Council's approach in rejecting the 953 dpa figure recommended in the SHMA Assessment Update. It requests that the OAHN is recalculated using an appropriate methodology. Lichfields considers that the Council's SHMA makes a number of flawed assumptions and judgements and does not properly respond to the requirements of policy and guidance. As a result, the proposed OAHN set out in the SHMA is not robust and is inadequate in meeting the need and demand for housing.
- 7.5 Even so, the Council has resolved to reject the OAHN of 953 dpa set out in the SHMA update and adopt a figure of 867 dpa, based on the latest revised SNHP published by ONS and MHCLG with no adjustment for market signals or affordable housing. By way of contrast, MHCLG's standard methodology produces an OAHN figure of 1,070 dpa, significantly higher than adopted by the Council which again demonstrates the inappropriateness of the Council's approach.
- 7.6 As noted in Section 4, Lichfields considers that the OAHN for York is **at least 1,150 dpa**. To be robust however, for the purposes of this report, we have also used GL Hearn's 953 dpa OAHN figure to calculate the City's 5YHLS.

5-Year Housing Requirement

Annual Requirement

- 7.7 When calculating the 5-Year Housing Requirement the annual average requirement should be used. As there is disagreement over the appropriate OAHN with the Council preferring a housing requirement of 867 dpa rather than their own housing evidence which suggests a need for 953 dpa figure in the SHMA Update, with Lichfields recommending a yet higher figure (1,150 dpa). All three are used in this assessment.
- 7.8 We would note that whichever figure is used, it does not include the specific needs of students living in halls of residence, which would be additional as these are explicitly excluded from the CLG's household projections.

⁶⁷ Framework - §47

Under Supply

- 7.9 The Practice Guidance⁶⁸ indicates that LPAs should aim to deal with any under supply within the first 5-years of the plan period where possible. Table 7.1 sets out the net completions recorded by the Council since 1st April 2007 compared to the now withdrawn RS for Yorkshire and the Humber requirement which the Council has been using in the absence of an adopted Local Plan. Table 7.1 shows the failure of York to deliver housing to meet the needs of the community.

Table 7.1 Housing Completions 2007/08 - 2016/17

Year	Target	Comp.	+/-	Cum +/-
2007/08	650	523	-127	-127
2008/09	850	451	-399	-526
2009/10	850	507	-343	-869
2010/11	850	514	-336	-1,205
2011/12	850	321	-529	-1,734
2012/13	850	482	-368	-2,102
2013/14	850	345	-505	-2,607
2014/15	850	507	-343	-2,950
2015/16	850	1,121	+271	-2,679
2016/17	850	977	+127	-2,552
Totals	8,300	5,748	-2,552	

Source: York Housing Monitor Update for Monitoring Year 2016/17

- 7.10 The Council has produced a Half-Year Monitoring Update for 2017/18 (1st April 2017 to 30th September 2017). This indicates that net completions over this period have totalled 1,036 dwellings.
- 7.11 However, as details of the full monitoring year 2017/18 are not yet available it is not possible to include this latest dataset in the analysis.
- 7.12 Table 7.2 sets out the net completions recorded by the Council since 1st April 2012 compared to the Council's requirement and the Lichfield's target. In this context it should be noted that the Lichfield completions exclude the student accommodation (180 units) previously included in the Council's delivery figures for the reasons set out in Section 6.0. The table shows the failure of York to deliver sufficient housing to meet the emerging OAHN.

⁶⁸ Practice Guidance - ID:3-035-20140306

Table 7.2 Housing Completions

Year	Council Position				SHMA OAHN				Lichfield Position			
	Target	Comp.	+/-	Cum +/-	Target	Comp.	+/-	Cum +/-	Target	Comp.	+/-	Cum +/-
2012/13	867	482	-385	-385	953	482	-471	-471	1,150	385	-765	-765
2013/14	867	345	-522	-907	953	345	-608	-1,079	1,150	345	-805	-1,570
2014/15	867	507	-360	-1,267	953	507	-446	-1,525	1,150	507	-643	-2,213
2015/16	867	1,121	+254	-1,013	953	1,121	168	-1,357	1,150	1,121	-29	-2,242
2016/17	867	977	+110	-903	953	977	24	-1,333	1,150	894	-256	-2,498
Totals	4,335	3,432	-903		4,765	3,432	-1,333		5,750	3,252	-2,498	

Source: York Housing Monitoring Update for the Year 2016/17 / Lichfields analysis

Application of the Buffer

- 7.13 Judgements on the appropriate Framework buffer (i.e. 5% or 20%) to apply turns on whether there is a record of “*persistent under delivery*”.
- 7.14 In this case, the Council has under-delivered in 8 of the past ten years when compared to the previous housing target and the emerging Local Plan (see Tables 7.1 & 7.2). A ten year period is considered to represent an entire economic cycle and an appropriate period for considering past delivery. This results in a substantial shortfall which needs to be quickly rectified. It is therefore appropriate to apply a 20% buffer to help address the significant delivery failings. This approach aligns with the Framework⁶⁹ objective to “*boost significantly*” the supply of housing and ensure that objectively assessed housing needs are met.
- 7.15 In respect of applying the buffer, it should be applied to both the forward requirement and the under supply. This approach accords with the Framework, which suggests that the buffer should be added to the total requirement which would, inevitably, include any under delivery from earlier years. In this regard, the purpose of the buffer is to increase the supply of land; it does not change the number of houses required to be built within that period. Put simply, the buffer is not, and it does not become, part of the requirement; it is purely a given excess of land over the land supply necessary to permit the identified need for housing to be delivered.
- 7.16 There have been a number of appeal decisions supporting this approach. In particular, the appeal in Droitwich Spa⁷⁰ where the Inspector indicated that the buffer should be applied to the forward requirement and under supply. He stated:
- “It is also clear that the 20% buffer should be applied to the entire 5-year requirement (including the historic shortfall). The Council could not point to any provision in policy or previous decisions which supports the contention that the 20% should not apply to the historic shortfall...”* [§8.46]
- The Secretary of State supported this approach in his decision letter.⁷¹
- 7.17 Table 7.3 sets out respective positions in relation to the 5-year requirement.

⁶⁹ Framework - §47

⁷⁰ Land at Newland Road and Primslad Way, Droitwich Spa (SoS Decision 02.07.14 – Ref: APP/H1840/A/13/2199085)

⁷¹ *ibid* – DL §14

Table 7.3 5-Year Housing Requirement

	Council		SHMA OAHN		Lichfields	
	Calc.	Total	Calc.	Total	Calc.	Total
Policy Requirement (2017-2022)	867 dpa x 5	4,335	953 dpa x 5	4,765	1,150 dpa x 5	5,750
Under Supply (2012-2017)	4,335 – 3,432	903	4,765 – 3,432	1,333	5,750 – 3,252	2,498
Buffer at 20%	$(4,335 + 903) \times 0.2$	1,048	$(4,765 + 1,333) \times 0.2$	1,220	$(5,750 + 2,498) \times 0.2$	1,650
Total Requirement		6,286		7,318		9,898
Annual Requirement	6,286 / 5	1,257	7,318 / 5	1,464	9,898 / 5	1,980

Source: Lichfields

7.18 On this basis, the 5-year requirement ranges from **6,286** to **9,898** dwellings.

Conclusion

- 7.19 The SHMA Update sets out an OAHN for York of 953 dpa; however, the Council has ignored this figure and adopted 867dpa for the plan period. Lichfields considers that an OAHN of 1,150 dpa is more appropriate. Even this figure explicitly excludes the needs of students living in purpose-built halls of residence.
- 7.20 The appropriate plan period is for this assessment is 2012-2032. We have set out the Council's past completion data and consider that a 20% buffer is required due to the persistent under delivery of housing in the City over the past 10 years.
- 7.21 When using the Council's OAHN and factoring in backlog and an appropriate buffer it is concluded that the annual housing requirement over the next 5-years is 6,286 (1,257 dpa), rising to 7,318 (1,464 dpa) using the SHMA's OAHN. Using Lichfields' OAHN figure would result in an annual requirement of 9,898 (1,980 dpa) over the next 5-years.

8.0 Housing Land Supply

Introduction

8.1 This section assesses the adequacy of the deliverable and developable supply of housing sites to meet the requirement for the plan period and 5-year period. It draws on the information supplied by the Council in the LPP and associated evidence base.

8.2 Before considering the individual components of the supply some initial points on the assumptions made by the Council on deliverability, particularly in relation to lead-in times and delivery rates. In this context it is important to be cautious in relation to the likelihood of sites delivering and the scale of that delivery. This is because the purpose of the assessment is to provide a realistic view of whether there is sufficient land available to meet the community's need for housing. If those needs are to be met a cautious approach must be taken.

Delivery Assumptions

Lead in Times

8.3 From the information released to date by York City Council it is impossible to decipher the Council's assumed lead in times for the proposed housing allocations outlined in the LPP.

8.4 Whilst housebuilders aim to proceed with development on site as quickly as possible, lead-in times should not underestimate inherent delays in the planning process (e.g. the approval of reserved matter and discharge of planning conditions) as well as the time taken to implement development (e.g. complete land purchase, prepare detailed design for infrastructure, mobilise the statutory utilities and commence development).

8.5 Another fundamental element in calculating appropriate lead-in times is the size and scale of the site. As a generality, smaller sites can commence the delivery of units before larger sites. Larger sites often have more complex issues that need to be addressed and require significantly greater infrastructure development which must be delivered in advance of the completion of units.

8.6 Table 8.1 sets out our general methodology in terms of lead-in times. We have split the methodology by site size and stage in the planning process.

Table 8.1 Lead-in Times

Stage of Planning	0-250 units	250-500 units	500+ units
Full Planning Permission	1 Year	1.5 Years	2 Years
Outline Planning Permission	1.5 Years	2 Years	2.5 Years
Application Pending Determination	2.5 Years	3 Years	3.5 Years
No Planning Application	3 Years	3.5 Years	4 Years

Source: Lichfields

8.7 We provide a detailed breakdown in Table 8.2 to Table 8.5 of the lead-in times and the factors that have been taken into account. The tables, breakdown the lead in times for a typical site of up to 250 units. Obviously, the larger site categories would take long to come forward as given the additional complexities in relation to negotiate S.106 contributions, discharge conditions

and put in place the necessary on-site infrastructure.

- 8.8 We have incorporated a period between the grant of outline planning permission and the formulation of the scheme to allow for market assessments and board approvals. Finally, if the outline permission has been secured by a land promoter or a landowner the site would need to be marketed during this period. This period has not been included but would add between 6 months to 9 months to the delivery.
- 8.9 On the sites with no current planning application, the timetable assumes there is a willing developer/landowner who wishes to commence the preparation of an application immediately. However, this is not always the case and a draft allocation in a Local Plan does not necessarily mean the process of securing planning permission is commenced immediately.

Table 8.2 Full Planning Permission - Lead-in Times (Site up to 250 units)

Key Stages	Prep of App.	Consider App.	S.106	Site Prep.	First Comp.	Total
Full Permission						
Discharge of Pre-Commencement Conditions	3	2				5
Site Commencement				3	6	9
Overall Time to 1st Completion						14*

Source: Lichfields

Notes: * rounded down to 12 months for the purposes of calculating a delivery trajectory.

Not included time within the timetable for market assessment and board approval as it is assumed this has been completed

Table 8.3 Outline Planning Permission - lead-in Times (Site up to 250 units)

Key Stages	Prep of App.	Consider App.	S.106	Site Prep.	First Comp.	Total
Outline Permission						
Reserved Matters and Discharge of Pre-Commencement Conditions	6	4				10
Site Commencement				3	6	9
Overall Time to 1st Completion						19*

Source: Lichfields

Notes: * rounded down to 12 months for the purposes of calculating a delivery trajectory.

Not included time within the timetable for market assessment and board approval as it is assumed this has been completed

Table 8.4 Application Pending Outline Permission - Lead-in Times (Site up to 250 units)

Key Stages	Prep. of App.	Consider App.	S.106	Site Prep.	First Comp.	Total
Outline Application		4	3			7
Market Assessment						3
& Board Approval	6	4				10
Reserved Matters and/or Discharge of Pre-Commencement Conditions				3	6	9
Overall Time to 1st Completion						29*

Source: Lichfields

Notes: * rounded to 30 months for the purposes of calculating a delivery trajectory.

Table 8.5 No Planning Application - Lead-in Times (site up to 250 units)

Key Stages	Prep of App.	Consider App.	S.106	Site Prep.	First Comp.	Total
Application	6	4	3			13
Market Assessment						
& Board Approval						3
Reserved Matters and/or Discharge of Pre-Commencement Conditions	6	4				10
Site Commencement				3	6	9
Overall Time to 1st Completion						35*

Source: Lichfields

Notes: * rounded to 36 months for the purposes of calculating a delivery trajectory.

- 8.10 The lead-in times set out in these tables are likely to be an underestimate based on the recent report by Barratt Homes and Chamberlin Walker.⁷² The report notes that:

“New data for 2017 presented in this report, from Barbour ABI, indicates that ‘post-planning permission’ development timescales (C+D) have increased markedly: on sites of 20 homes or more it now takes at least 4.0 years on average from the grant of detailed planning permission to site completion, compared to the earlier LGA estimates of 1.7 to 3.2 years.”

In these circumstances the Council must set out clearly the lead-in times that are assumed and demonstrate that they are sound and robust. This is clearly not the case with the current evidence base.

Delivery Rates

- 8.11 Whilst housebuilders aim to deliver development on site as quickly as possible, in a similar fashion to the lead-in times outlined above, the annual delivery rate on sites will depend on a number of factors including overall site capacity. In our experience, sites with a capacity of less than 250 units are built out by one housebuilder using one outlet. As such, a reasonable average

⁷² The Role of Land Pipelines in the UK Housebuilding Process (September 2017) Barratt Homes & Chamberlin Walker

annual delivery rate in York is 40 dpa for sites with a capacity of less than 250 units. However, on sites of less than 100 units we have assumed a lower delivery rate of 25 dpa as these sites will generally be delivered by smaller housebuilders.

8.12 Generally, in York on sites with a capacity of between 250 units and 500 units there is often a second developer (or national housebuilders use a second outlet) delivering units simultaneously. As such, annual delivery rates increase but not exponentially to the number of housebuilders or delivery outlets. In our experience in the current market, sites with 2 outlets deliver approximately 65 dpa.

8.13 Finally, on large-scale sites with a capacity of more than 500 units, there are often up to three housebuilders or outlets operating simultaneously. As before, this does not increase delivery exponentially but it can be expected that three outlets operating simultaneously on a large scale would deliver approximately 90 dpa.

Table 8.6 Annual Delivery Rates

	0-100 units	100-250 units	250-500 units	500+ units
Annual Delivery	25 dpa	40 dpa	65 dpa	90 dpa

Source: Lichfields

8.14 Lichfields considers that it would be appropriate to apply the delivery rates identified above. The quantum of delivery of units on a site can be affected by a significant number of factors including local market conditions, general economic conditions, proximity to competing site, housing market area, type and quality of unit and the size of the development. There will be a number of sites in York that will experience higher annual delivery rather than the averages outlined above but there will also be a number of who deliver below the average also. It is therefore important not to adopt an average delivery rate which may only be achieved by a small minority of the strategic sites.

Density Assumptions

8.15 The 2017 SHLAA (page 20) sets out the density assumptions for each residential archetype.

8.16 It is considered that, the proposed densities are overly ambitious and will not be achieved on average on sites throughout York. For example, from our experience, it is not anticipated an average density of 50dph on sites of 1ha+ with a gross to net ratio of 95% can be achieved. Meeting open space requirements alone will preclude this ratio. There will be a very limited number of examples where this density has been achieved but a more appropriate and conservative figure should be pursued in the absence of firm details from a developer. The gross to net ratio at most should be 85%, although this can reduce to less than 60% for larger developments with significant infrastructure requirements.

8.17 Secondly, it is considered that a density of 40dph on suburban sites is highly aspirational and is unlikely to be achieved across a significant number of sites. This density is characterised by housing for the smaller households and thus not suitable for family accommodation. Our housebuilder clients and local intelligence has reaffirmed our concerns with the proposed average densities. Unless there is specific evidence to the contrary the default density on suburban sites should be 35 dph.

8.18 The Council has not provided sufficient information to back up their assumptions and we consider that these development densities should be revised downwards to ensure that the capacity of sites is not artificially inflated. Assumptions on development densities in the

absence of specific developer information should air on the side of caution and we consider that the details in the 2017 SHLAA are at variance with this principle.

Components of the Housing Supply

- 8.19 The components of the Council's supply are set out in the LPP. The LPP does not set out a delivery trajectory for each site and only sets out the expected delivery from each site over the plan period.
- 8.20 The information provided in the trajectory in the LPP is high level. It does not provide an annual housing delivery trajectory for each site over the plan period. The Council simply provides an assumed total completion figure for all sites each year without detailed reasoning on the methodology for deriving this figure.
- 8.21 As set out above, the Council includes several student sites in its future supply which is inappropriate as no robust evidence has been provided to demonstrate that there has been a reduction in the number of general market dwellings occupied by students as a direct result of the provision of purpose-built student accommodation. As a result, including student accommodation in the supply is flawed and risks severely distorting the figures.

Sites with Planning Permission

- 8.22 It is now a standard approach that sites with planning permission should be included in the supply (unless there is a good reason to exclude them) whereas sites without planning permission should be excluded (unless there is a good reason to include them). This interpretation is entirely logical as the absence of a planning permission is a clear impediment to development, which is contrary to the test that land should be available now.
- 8.23 The LPP [5.3] indicates that, as at 11th April 2017, there were extant planning permissions for 3,578 homes which will contribute towards meeting the overall housing requirement in the Plan. However, the Council has not identified these sites nor has it provided a delivery trajectory for each site to demonstrate how each of these sites contributes to delivery over the Plan period or to the 5-Year housing land supply. In the absence of this information it is not possible to ascertain whether these sites should be included in the supply. Lichfields therefore reserves the right to provide further comment on this matter as and when more detailed information is made available.

Allocations

- 8.24 Table 5.1 of the LPP identifies the housing and strategic sites which are proposed for allocation. It provides an estimated dwelling yield and estimated phasing for these sites (i.e. Short Term: Years 1-5, Medium Term: Years 1-10 etc.). For those sites where the phasing extends beyond years 1-5, the anticipated delivery of the sites in each 5 year phase is not confirmed.
- 8.25 The Council has not provided a detailed delivery trajectory for each of the Potential Strategic Housing Allocations and Potential General Housing Allocations. The Council has simply provided a figure for the total dwellings to be provided for the plan period without any justification or clarification on the assumptions used to derive the delivery figure. Lichfields therefore reserves the right to provide further comment on this matter as and when more detailed information is made available.
- 8.26 The estimated phasing in LPP Table 5.1 indicates that a number of large strategic sites are to commence delivery in Year 1. With regard to this matter, Lichfields would like to express a degree of caution in relation to resourcing issues at the Council. The Council are assuming that a significant number of large planning applications will be submitted and determined concurrently in a relatively short space of time. It is not clear if the Council has fully considered

the resourcing issues associated with dealing with all these application at the same time. In our experience, the Council's Department may not have sufficient capacity to deal with a number of major applications at the same time.

- 8.27 Based on the information provided, Lichfields also consider there are a number of sites where the delivery of development has been substantially overestimated by the Council, including the examples below.

Sites ST14 Land to West of Wigginton Road & ST15 Land to West of Elvington Lane

- 8.28 The estimated phasing in LPP Table 5.1 indicates that sites ST14 (Land to West of Wigginton Road) and ST15 (Land to West of Elvington Lane) will begin to deliver in Year 1 (2018/19). Lichfields consider this anticipated early delivery to be unrealistic for a number of reasons:
- 1 The sites are located within the Green Belt and no application is likely to be permitted until the Local Plan is adopted.
 - 2 A clear strategy is needed to deliver the sites during the plan period. Both are in multiple ownerships and the siting of each allocation without access to a public highway introduces an added level of complexity in negotiation and agreement between the parties involved.
 - 3 In view of their size and complexity much work will be needed to develop masterplans and establish viability of the developments to be progressed through the planning system.
 - 4 Detailed masterplans will be required to secure an appropriate form of development and ensure a phased delivery of the on-site services and facilities.
 - 5 Given the scale and location of the developments the schemes will need to be subject to full environmental assessment, especially to consider the likely impact on landscape, ecology and transportation and historic character of the City.
 - 6 The sites are isolated and there is no existing infrastructure capable of accommodating the proposed level of development. Both sites do not have frontage to a public highway with capacity that would allow even the smallest amount of development to commence. Their development will require major off-site highway improvements and new highway access roads and junctions. Other utilities will need to be procured and delivered in advance of any construction works on the site. This will inhibit the early delivery of the developments.
 - 7 The proposed sites are not obviously sustainable in that they are not easily accessible to existing social and community facilities or located close to existing public transport routes. Considerable effort will need to be made to ensure the allocations do not become satellite, dormitory communities wholly reliant on private transport for every journey away from the home.
- 8.29 The proposed delivery of units in Year 1 (2018/19) is ambitious and unrealistic given the extensive infrastructure requirements which will need to be put in place in advance of any development taking place. In addition, in view of the application of restrictive Green Belt policy it is inevitable that once the Local Plan is adopted the City of York Council will receive many planning applications for both large and smaller developments. Processing these applications will inevitably cause added delay, especially to the major, complex, housing allocations.
- 8.30 We consider that the identification of a portfolio of small site allocations (e.g. up to 250 dwellings) would assist in meeting any shortfall created by the delay in large sites delivering dwellings early in the plan period.

Windfalls

- 8.31 The Council claims that 169dpa will be delivered on windfall sites from Year 3 of the trajectory (2020/21) and provides justification for their windfall allowance in its Windfall Allowance Technical Paper (2017).

- 8.32 The Framework⁷³ sets out the local planning authorities may make allowance for windfall sites in the 5-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Furthermore, any allowance should be realistic having regard to the SHLAA, historic windfall delivery rates and expected future trends.
- 8.33 Lichfields accept that windfalls should be included in the overall housing delivery trajectory but only consider that they are appropriate outwith the first 5-year period. The inclusion of a significant windfall figure in earlier years increases the likelihood of artificially inflating the housing delivery figures in year 3 and double counting sites with permission. It does not account for any potential delays to the build out sites with extant consent. As such, the windfall allowance should be amended to only make an allowance from Year 5 (2022/23) onwards.
- 8.34 The Council consider that an annual windfall of 169dpa is appropriate to take account of potential delivery on sites of <0.2ha and completions on change of use and conversion sites.
- 8.35 However, the figure of 169 dwellings has only been achieved four times over the past 10 years and only twice since the base date of the new plan period (2012). This is during a period when the application of a very tight inner Green Belt boundary has precluded urban edge development at a time of ever increasing housing demand. In such circumstances it would have been an ideal period for windfall development to increase; but it did not. There is therefore no justification for such a high allowance.
- 8.36 In relation to the delivery on sites of <0.2ha, Lichfields consider that the proposed windfall allowance is too high because tightly defined settlement boundaries in York and surrounding settlements means there is a finite supply of sites which can come forward. This supply has been curtailed by the change in definition of previously developed land (June 2010) to remove garden sites. In addition, the Council started to request small sites to make contributions towards affordable housing provision and required rural sites with a capacity of more than 15 units to provide on-site affordable housing. This has made the provision of units on small sites less attractive to the market. Since the policy change and the introduction of affordable housing contributions the quantum of completions on windfall sites in York has plummeted. As a consequence, the future supply from this source should only consider the average completion rate since 2009/10 of 33dpa.
- 8.37 In relation to the delivery from conversions, the average completion figure in the past three years is largely dependent on recent changes to permitted development rights. As a consequence, it is considered that after an initial surge the conversion rate will revert back to the long term average. It is likely that the optimum conversion sites will be completed in the short term and the less sustainable and attractive office developments in York will not be converted. As such the average conversion rate from 2007/08 to 2013/14 of 64dpa should be used.
- 8.38 Based on the above assessment it is considered that the proposed windfall allowance should be reduced from 169dpa to 100dpa (rounded up from 97) which represents a far more realistic windfall allowance over the plan period. The incorporation of this figure would ensure that the Council's trajectory is not artificially inflated, can be realistically achieved and would only be incorporated into the delivery trajectory at Year 5 (2022/23) to ensure no double counting.
- 8.39 It is considered that the Council's information does not adequately justify a windfall allowance of 169dpa and does not provide sufficient certainty that this figure will be achieved over the plan period. We reserve the right to revise our position on windfalls if the Council prepares and releases further justification.

⁷³ The Framework, §48

Conclusion

- 8.40 Lichfields has undertaken an analysis of the Council's evidence base documents and consider that the evidence provided by the Council is not sufficient to demonstrate that the dwelling requirement over the plan period and a 5-Year supply will be achieved. It is also considered that some of the proposed delivery rates on sites are unfounded and unrealistic.

9.0 **Balance of the Requirement and Supply**

Introduction

9.1 The Council has not produced a trajectory or a detailed assessment of the 5-year supply position, as required by the Framework. In these circumstances, it can only be assumed that the Council considers that it can demonstrate an adequate housing supply in the initial 5-year period and over the plan period. However, no evidence has been produced to demonstrate this position.

9.2 As a consequence, this section sets out an assessment of the housing supply against the three OAHNs for York (set out in Section 4).

5-Year Supply

Adequacy of Supply

9.3 The five year supply has been assessed against the Council's LPP housing target of 867 dpa; the SHMA Update's OAHN of 953 dpa; and Lichfields OAHN (1,150 dpa). The requirement is then compared to the Council's supply figures. The assessments in both cases make provision for the backlog and 20% buffer for persistent under delivery as calculated in Section 7. The calculation of Lichfields' position excludes any windfall allowance for the reasons we have set out in this Technical Report. As the Council has not provided adequate evidence to show how committed, allocated sites, student housing etc. factor into the housing supply, it has not been possible to fully assess the supply position and make further amendments. However, on the basis of our comments above, it is likely that this would reduce the housing supply considerably. Table 9.1 sets out the relative positions.

Table 9.1 5-Year Housing Land Supply Position using the Council's and Lichfields' OAHNs

Housing Requirement (2017-2022)		York Assumed Position		SHMA OAHN		Lichfields' Position	
Local Plan OAHN (dpa)			867		953		1,150
5 Year Requirement	2017-2022		4,335		4,765		5,750
Backlog	2012-2017	903		1,333		2,498	
Framework Buffer	20%	1,048		1,220		1,650	
Sub Total		1,951	1,951	2,553	2,553	4,148	4,148
5-year Requirement	2017-2022		6,286		7,318		9,898
Annual 5-year requirement			1,257		1,464		1,980
Housing Supply (2017-2022)							
Projected Housing Completions including Windfall Allowance from Year 3 (windfall allowance excluded from Lichfields' Position)			5,902		5,902		5,769
Total Supply	2017-22		5,902		5,902		5,769
Difference (Undersupply expressed as a minus)			-384		-1,416		-4,129
5-Year Supply Expressed as Years of Residual Annual Requirement			4.70		4.03		2.91

Source: Lichfields Analysis

- 9.4 The table demonstrates that even when comparing the likely delivery within the 5-year period to the Council's OAHN, there is not an adequate supply of housing land. Based on the Council's approach, there is only a supply of 4.70 years (with an undersupply of 384 dwellings), falling to 4.03 years if the higher SHMA OAHN is applied. If the Lichfields OAHN is used there is a supply of 2.91 years and a shortfall of 4,129 dwellings.
- 9.5 In addition, for the reasons we have raised in the previous section, the Council's 5-year supply figure of 5,902 dwellings is considered to be optimistic and all of this supply is unlikely to come forward over the 5-year period, which would further exacerbate the supply shortfall. Furthermore, including student accommodation in the supply without clearly evidencing how this would release housing onto the market elsewhere is not in accordance with the Practice Guidance or recent High Court judgements, and risks severely distorting the Council's land supply figures as a consequence.

Implications of the 5-Year Supply Position

- 9.6 The Council has a significant shortage of housing land in the first 5-years. This is a significant issue for the Council which means the plan is not 'sound' in its current form. It is therefore imperative that additional sites are allocated for housing to tackle this issue. These should be sites without any immediate constraints that can be delivered quickly once the plan is adopted.

The Plan Period Supply

- 9.7 There is also a significant shortfall of housing over the Plan period, when assessed against the Lichfields OAHN of 1,150 dpa and the 2,498 dwelling shortfall in delivery for the period 2012 to 2017 identified in Table 7.2 (a total figure of 20,898 dwellings over the Plan period 2012 to 2033). LPP Table 5.2 indicates a supply of 18,839 dwellings which is equivalent to a shortfall of 2,059 dwellings over this period.

Conclusion

- 9.8 The Council has not produced a trajectory or a detailed assessment of the 5-year supply position as required by the Framework. No evidence has therefore been produced to demonstrate the Council's housing supply position.
- 9.9 The assessment of the balance between the housing requirement and supply demonstrates that there is a significant shortfall for 5-year period. For the plan period, there is also a significant shortfall when assessed against the Lichfields assessment of the OAHN.
- 9.10 In these circumstances, the emerging plan is not 'sound' as required by the Framework, as the Council has not demonstrated an adequate short and longer-term supply as required by national guidance.
- 9.11 The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a 'sound' plan and enable the much needed investment in new housing to meet the community's needs.
- 9.12 It should be noted that the above assessment is reliant upon the information provided in the LPP and associated evidence base documents. Lichfields therefore reserves the right to update the above evidence as and when further information becomes available, particularly regarding student housing needs.

10.0 Summary

Context

- 10.1 The Framework sets out that LPAs should use their evidence base to ensure they meet the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework.
- 10.2 The SHMA Assessment Update makes a number of assumptions and judgements which Lichfields considers to be flawed, or which do not properly respond to the requirements of policy and guidance. As a result, the concluded OAHN is not robust and is inadequate to meet need and demand within the HMA.

Conclusions on the City of York's Housing Need

- 10.3 The Council's approach to identifying an assessed need of 867 dpa in the introductory section of the SHMA Assessment Update is considered to be fundamentally flawed. This is effectively a 'policy-on' intervention by the Council which should not be applied to the OAHN. It has been confirmed in the Courts that FOAN is 'policy off' and does not take into account supply pressures. The Council's approach to identifying the OAHN, as set out in the SHMA Assessment Update, would therefore be susceptible to legal challenge. The calculation of OAHN should therefore be based on the normal 'policy-off' methodology.
- 10.4 There are a number of significant deficiencies in the SHMA Assessment Update which means that the 953 dpa OAHN figure identified in the Assessment Update is not soundly based. In particular:
- 1 GL Hearn clearly accepts that an increase in household formation rates is necessary to respond to continued suppression of household formation rates within younger age groups within the official projections. However this demographic-led figure of 871 dpa does not appear to have been carried forward by GL Hearn in calculating the resultant housing need, as noted below. Lichfields agree with making an adjustment for demographic and household formation rates. However, it would be illogical to revert back to unadjusted projections of 867 dpa and then take this to apply the adjustment for market signals and affordable housing, when a demographic need of 871 dpa has been identified.
 - 2 Overall, the Assessment Update fails to distinguish between the affordable housing needs of the City of York and the supply increase needed to address market signals to help address demand. Instead the SHMA blends the two elements within the same figure resulting in a conflated figure which is lower than the level of uplift deemed reasonable by the Eastleigh and Canterbury Inspectors, despite the fact that market signals pressures in York indicate signs of considerable stress and unaffordability. The Practice Guidance is clear that the worse affordability issues, the larger the additional supply response should be to help address these.
 - 3 Given the significantly worsening market signals identified in City of York, Lichfields consider that a 20% uplift would be appropriate in this instance and should be applied to the OAHN, plus a further 10% uplift to help address affordable housing needs.
- 10.5 The scale of objectively assessed need is a judgement and the different scenarios and outcomes set out within this report provide alternative levels of housing growth for the City of York. Lichfields considers these to be as follows:
- 1 **Demographic Baseline:** The 2014-based household projections indicate a net household growth of 867dpa between 2014 and 2024 (including a suitable allowance for vacant/second homes. Once a suitable adjustment has been made to rebase the projections to the (slightly lower) 2015 MYE, and through the application of accelerated headship rates

amongst younger age cohorts takes the demographic starting point to 871dpa.

- 2 **Market Signals Adjustment:** GL Hearn's uplift is 10%. However, for the reasons set out above, Lichfields considers that a greater uplift of 20% would be more appropriate in this instance. When applied to the 871dpa re-based demographic starting point, this would indicate a need for 1,045dpa.

The demographic-based projections would support a reasonable level of employment growth at levels above that forecast by Experian, past trends or the Blended job growth approach. As such, no upward adjustment is required to the demographic-based housing need figures to ensure that the needs of the local economy can be met;

- 3 The scale of **affordable housing needs**, when considered as a proportion of market housing delivery, implies higher levels of need over and above the 1,045dpa set out above. It is considered that to meet affordable housing needs in full (573dpa), the OAHN range should be adjusted to 1,910dpa @30% of overall delivery. It is, however, recognised that this level of delivery is likely to be unachievable for York. Given the significant affordable housing need identified in City of York Lichfields consider that a further 10% uplift would be appropriate in this instance and should be applied to the OAHN, resulting in a final figure of **1,150 dpa**.

This is 7.5% higher than the MHCLG proposed standardised methodology figure of 1,070 dpa.

- 10.6 This allows for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to meet affordable housing needs and supporting economic growth. Using this range would ensure compliance with the Framework [§47] by significantly boosting the supply of housing. It would also reflect the Framework [§19], which seeks to ensure the planning system does everything it can to support sustainable development. We would note that these figures do not include the need for specialised student accommodation, which would be additional.

Conclusions on Housing Land Supply

- 10.7 The Council has not produced a trajectory or a detailed assessment of the 5-year supply position as required by the Framework. No evidence has therefore been produced to demonstrate the Council's housing supply position.
- 10.8 Furthermore, including student accommodation in the supply without clearly evidencing how this would release housing onto the market elsewhere does not accord with the Practice Guidance or recent High Court judgements, and risks severely distorting the Council's land supply figures as a consequence
- 10.9 The assessment of the balance between the housing requirement and supply demonstrates that there is a significant shortfall for the 5-year period. For the plan period, there is also a significant shortfall when assessed against the Lichfields assessment of the OAHN. Based on the Council's approach, there is only a supply of 4.70 years (with an undersupply of 384 dwellings), falling to 4.03 years if the higher SHMA OAHN is applied. If the Lichfields OAHN is used there is a supply of 2.91 years and a shortfall of 4,129 dwellings.
- 10.10 In these circumstances, the emerging plan is not 'sound' as required by the Framework, as the Council has not demonstrated an adequate short and longer-term supply as required by national guidance.
- 10.11 The Council should allocate additional land to meet the housing needs of the community and these sites should be able to deliver early in the plan period. This is the only approach that will deliver a 'sound' plan and enable the much needed investment in new housing to meet the community's needs.

- 10.12 **It should be noted that the above assessment is reliant upon the information provided in the LPP and associated evidence base documents. Lichfields therefore reserves that right to update the above evidence as and when further information becomes available.**

Appendix 1: Lichfields Market Signals Assessment

Appendix 1

Our ref 50642/03/MW/CR
Date 19th March 2018

Subject Lichfields Market Signals Assessment

1.0 Market Signals

Introduction

- 1.1 The Framework sets out the central land-use planning principles that should underpin both plan-making and decision-taking. It outlines twelve core principles of planning that should be taken account of, including the role of market signals in effectively informing planning decisions:
- “Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.” [§17]*
- 1.2 The Practice Guidance requires market signals to be assessed against comparator locations . The analysis in the following sections focuses on comparing the City of York and other Local Authorities and England to benchmark their performance against trends both across the wider region and nationally.
- 1.3 The Guidance sets out six key market signals¹:
- 1 land prices;
 - 2 house prices;
 - 3 rents;
 - 4 affordability;
 - 5 rate of development; and,
 - 6 overcrowding.
- 1.4 It goes on to indicate that appropriate comparison of these should be made with upward adjustment made where such market signals indicate an imbalance in supply and demand, and the need to increase housing supply to meet demand and tackle affordability issues:
- “This includes comparison with longer term trends (both in absolute levels and rates of change) in the housing market area; similar demographic and economic areas; and nationally. Divergence under any of these circumstances will require upwards adjustment to planned housing numbers compared to ones based solely on household projections”.*
- “In areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable. The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in*

¹ 2a-019-20140306

affordability needed and, therefore, the larger the additional supply response should be.”²

- 1.5 The Practice Guidance sets out a clear and logical ‘test’ for the circumstances in which objectively assessed needs (including meeting housing demand) will be in excess of demographic-led projections. In the context of the Framework and the Practice Guidance, the housing market signals have been reviewed to assess the extent to which they indicate a supply and demand imbalance in the City of York and other comparable local authorities and therefore indicate that an upwards adjustment should be made over the demographic-led baseline already identified.

Housing Market Indicators

- 1.6 In the context of The Framework and the Practice Guidance, each of the housing market signals have been reviewed to assess the extent to which they indicate an imbalance between supply and demand in the City of York.

Land Prices

- 1.7 CLG has published a document entitled ‘*Land value estimates for policy appraisal*’ (February 2015) which contains post permission residential land value estimates, per hectare for each Local Authority. For York this figure is £2,469,000 per hectare, well above the equivalent figure for England (excluding London) of £1,958,000.

House Prices

- 1.8 The Practice Guidance³ identifies that longer term changes in house prices may indicate an imbalance between the demand for and supply of housing. Although it suggests using mix-adjusted prices and/or House Price Indices, these are not available at local authority level on a consistent basis, and therefore for considering market signals in York, price paid data is the most reasonable indicator.
- 1.9 Land Registry price paid data displays the median prices in York, alongside North Yorkshire and England as of 2016 (Table 1.1). These median prices illustrate lower prices in York compared to national rates, but higher prices than in the surrounding sub-region.

Table 1.1 Median Dwelling price, York (2016)

	Median Dwelling Price 2016
York	£220,000
North Yorkshire	£199,995
England	£224,995

Source: ONS Price Paid Data

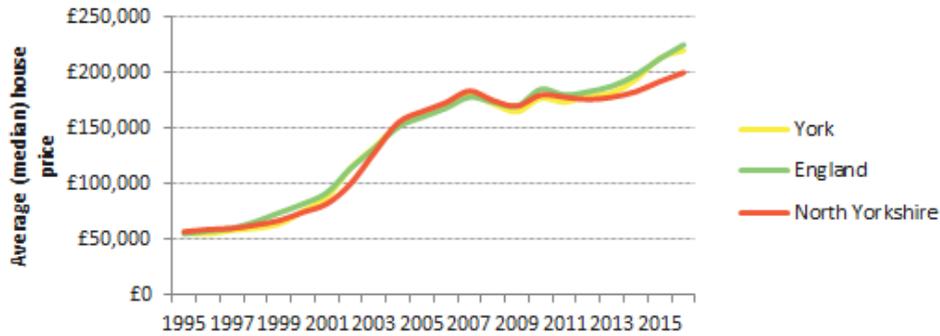
- 1.10 CLG publishes series data on median house prices based on the same Land Registry price paid data series. This currently runs from 1996 to 2016. This longitudinal analysis is illustrated in Figure 1.1, which indicates that the City of York has seen virtually identical levels of house price growth to the national average since 1999. The figure remains slightly below the England

² 2a-020-20140306

³ 2a-019-20140306

average at present, but is above the North Yorkshire median.

Figure 1.1 Median House Prices



Source: ONS Price Paid Data

- 1.11 In 2016 median house prices in York were just 2% lower than the national average, whilst the City ranked as being the 166th most expensive place to live in England (out of 326 districts).
- 1.12 It is particularly important to note that over the previous 17 years (1999-2016), median house prices have increased by 244% (or £156,000) in York, compared to 204% nationally and 199% across North Yorkshire as a whole.
- 1.13 As set out in the Practice Guidance, higher house prices and long term, sustained increases can indicate an imbalance between the demand for housing and its supply. The fact that York's median house prices have effectively tripled in 17 years, from £64,000 in 1999 to £220,000 in 2016, and have risen at a much faster rate than comparable national and sub-regional figures, suggests that the local market is experiencing considerable levels of stress.

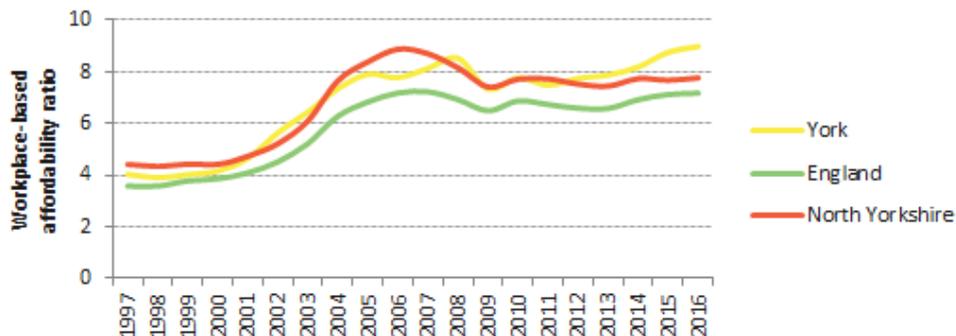
Affordability

- 1.14 The CLG's former SHMA Practice Guidance defines affordability as a '*measure of whether housing may be afforded by certain groups of households*'⁴. A household can be considered able to afford to buy a home if it costs 3.5 times the gross household income for a single earner household or 2.9 times the gross household income for dual-income households. Where possible, allowance should be made for access to capital that could be used towards the cost of home ownership [page 42].
- 1.15 The Practice Guidance concludes that assessing affordability involves comparing costs against a household's ability to pay, with the relevant indicator being the ratio between lower quartile house prices and lower quartile [LQ] earnings.
- 1.16 Using CLG affordability ratios, Figure 1.2 illustrates that although the ratio fell substantially from a peak of 8.14 in 2008 following the financial crash and subsequent economic downturn, it has steadily increased since 2009 at a much faster rate than North Yorkshire as a whole. This suggests that levels of affordability are declining in York at a pace which is not the case for the rest of the sub-region (and indeed, for the country as a whole). In 2016, the median house price

⁴ Annex G

in York City was approximately 9.0-times the LQ (workplace-based) income, compared to 7.8 for North Yorkshire and 7.2 nationally.

Figure 1.2 Ratio of house price to lower quartile earnings



Source: ONS Affordability Data

- 1.17 It can be seen in Figure 1.2 that over the past 19 years, the ratio of lower quartile house prices to lower quartile earnings in York has been consistently above the national average, with the gap widening over time. Indeed, the rate of increase is worrying – between 2002 and 2016, the affordability ratio increased by 39%, significantly above the comparable growth rate for North Yorkshire (+27%) and England (+37%). Indeed, across the whole of northern England, only Manchester City has experienced a higher rate of increase in its affordability ratio than York.
- 1.18 The affordability ratio highlights a constraint on people being able to access housing in York, with house price increases and rental costs outstripping increases in earnings at a rate well above the national level.

Rents

- 1.19 On a similar basis, high and increasing private sector rents in an area can be a further signal of stress in the housing market. Median rents in York are £725 per month, with median rents ranging from £595 per month for a 1 bed flat, to £1,500 per month for a 4+ bed house. All of these figures are significantly higher than the national average, with overall average rents comprising £675 across England, and £585 for North Yorkshire. Rental levels are therefore 7.4% higher than comparable national figures (Figure 1.3).

Figure 1.3 Median Monthly Rents



Source: VOA Private Rental Market Statistics

Rate of Development / Under delivery

1.20 The rate of development is intended to be a supply-side indicator of previous delivery. The Practice Guidance states that:

“...if the historic rate of development shows that actual supply falls below planned supply, future supply should be increased to reflect the likelihood of under-delivery of a plan”⁵

1.21 York has never had an adopted Local Plan, hence the only relevant previous ‘planned supply’ figure is the target within the former Yorkshire and the Humber RS up to 2012. Thereafter, we have compared delivery against the household projections and its preferred OAHN range, as set out in Table 1.2.

Table 1.2 Rate of net housing delivery in York against possible policy benchmarks, 2004/05-2015/16

Year	Net Housing Completions	Council's OAHN (867 dpa)	
		'Need'*	+/-
2004/05	1,160	640	+520
2005/06	906	640	+266
2006/07	798	640	+158
2007/08	523	640	-117
2008/09	451	850	-399
2009/10	507	850	-343
2010/11	514	850	-336
2011/12	321	850	-529
2012/13	482	867	-385
2013/14	345	867	-522
2014/15	507	867	-360
2015/16	1,121	867	+254
2016/17	977	867	110
Total	8,612	10,295	-1,683

Source: ARUP (August 2015): Evidence on housing Requirements in York: 2015 Update, Table 4 and City of York Half Year Housing Monitoring Update for Monitoring Year 2017/181

*RSS assumed average 640 dpa 2005/05-2007/08; 850 dpa 2008/09 -2011/12

⁵Section 2a-019-20140306

- 1.22 It is clear from the Council's own evidence that the City has consistently under-delivered housing, with a failure to deliver anything more than 525 dwellings in any single year between 2007 and 2015. The policy benchmarks suggest that the level of past under-delivery is 1,683 dwellings over the past 13 years.
- 1.23 Furthermore, the Council's already low housing delivery figures have been artificially boosted by the inclusion of student accommodation in the completions figures. For example, CYC's 2012/13 Annual Monitoring Report states that 482 (net) dwellings were completed in 2012/13, but this figure includes 124 student cluster flats. The 6 months completions data set out in CYC's Housing Monitoring Update (Table 3, October 2017) suggested that the Council was continuing to rely on student housing completions to boost its housing numbers, with 637 of the total 1,036 net completions during the first half of the 2017/18 monitoring year comprising privately managed off-campus student accommodation.

Overcrowding and Homelessness

- 1.24 Indicators on overcrowding, sharing households and homelessness demonstrate un-met need for housing within an area. The Practice Guidance suggests that long-term increases in the number of such households may be a signal that planned housing requirements need to be increased.
- 1.25 The Guidance states that indicators on:
- "...overcrowding, concealed and sharing households, homelessness and the number in temporary accommodation demonstrate unmet need for housing. Longer term increases in the number of such households may be a signal to consider increasing planned housing numbers..."*⁶
- 1.26 The Census measures overcrowding based on a standard formula, which measures the relationships between members of a households (as well as the number of people in that household) to determine the number of rooms they require. A rating of -1 or less indicates a household has one fewer room than required, +1 or more indicates a household has one or more rooms than needed. At the national level, affordability issues in recent years, as well as a shortfall in housing supply, have meant that people are either willing to accept sub-optimal living conditions (e.g. living in a smaller home to manage costs) or are forced into accepting such housing outcomes (e.g. are priced out of the market and have to share with friends/family).
- 1.27 Table 1.3 illustrates that overcrowding against the occupancy rating in York is not severe, with 7.10% of households living in a dwelling that is too small for their household size and composition. This compares to 8.7% nationally. However, it represents a significant increase of 2 percentage points on the 5.1% recorded in York in 2001, which is above the national trend (which had increased by 1.6 percentage points from 7.1% in 2011).

⁶ Section 2a-019-20140306

Table 1.3 Overcrowding: Household Room Occupancy Rating

	2001			2011		
	Total Households	-1 room occupancy or less	-1 room occupancy or less (%)	Total Households	-1 room occupancy or less	-1 room occupancy or less (%)
York	76,926	3,887	5.1%	83,552	5,930	7.1%
England	20,451,427	1,457,512	7.1%	22,063,368	1,928,596	8.7%

Source: Census 2001 / Census 2011

Note: The definition of the Census 'bedroom standard' is slightly different from the 'occupancy rating' that informs the Government's Under-Occupancy Charges, i.e. the Census states that 'two persons of the same sex aged between 10 and 20' can occupy one bedroom, whilst the Under Occupancy Charge changes this to 'any two children of the same sex aged under 16'. It is possible that if the Government's policy continues into the long term, then changes will be made to the categorisation of the Census's Occupancy Rating to bring the two datasets into line.

1.28 The Census also recorded the number of concealed families (i.e. where there is more than one family present in a household). Nationally, this rose significantly between 2001 and 2011, at least in part due to the impact of the recession on younger households' ability to afford their own home. This meant that many younger people, including families, remained in the family home for longer than might have been expected in the past, either through choice (to save money) or through necessity.

1.29 At the time of the 2011 Census, 1.9% of all families in England were concealed; this represented 275,954 families. This is a rise compared to 2001 when 1.2% of families were concealed. In York, a lower percentage of families were concealed (1.1%) than nationally (1.9%). However, this represents a higher proportional rise, of almost two thirds, from the 2001 figure. This is presented in Table 1.4.

Table 1.4 Concealed Families in York, Yorkshire and Humber and England 2001-2011

	Concealed Families		Change (percentage points)	Change in %
	2001	2011		
York	330 (0.7%)	586 (1.1%)	+0.43	+65.7%
Yorkshire and the Humber	15,890 (1.1%)	25,410 (1.7%)	+0.57	+51.1%
England	161,254 (1.2%)	275,954 (1.9%)	+0.69	+59.2%

Source: Census 2011/2011

1.30 The levels of overcrowding and concealed households in York are moderate when compared with the national and regional averages but have increased at a higher rate (albeit from a lower base). While the level of overcrowding and number of concealed households is not so significant as to conclude that there is severe market pressure, it nevertheless highlights inadequacy reducing flexibility in the housing market.

1.31 The levels of overcrowding are likely to be a symptom associated with restricted incomes in York, with people either willing to accept sub-optimal living conditions (e.g. living in smaller houses to manage costs) or forced into accepting such housing outcomes (e.g. are priced out and have to share with friends/family). In such circumstances, overcrowding and concealed households may be indicative of insufficient supply to meet demand.

- 1.32 Table 1.5 indicates that York has a comparatively low number of homeless people in priority need, of just 97 (or 1.1 per 1,000 households), which is less than half the national rate. The fall in homelessness levels in the City has also been much more pronounced than elsewhere in England over the past ten years, although broadly comparable to Yorkshire and the Humber as a whole.

Table 1.5 Number accepted as being homeless and in priority need 2006/07-2016/17

	Homeless and in Priority Need		% Change	Absolute Change
	2006/07	2016/17		
York	213 (2.70 / 1,000 H'holds)	97 (1.1 / 1,000 H'holds)	-54%	-1.60 / 1,000 H'holds
Yorkshire and the Humber	8,220 (3.87 / 1,000 H'holds)	3,670 (1.60 / 1,000 H'holds)	-55%	-2.27 / 1,000 H'holds
England	73,360 (3.48 / 1,000 H'holds)	59,110 (2.54 / 1,000 H'holds)	-19%	-0.94 / 1,000 H'holds

Source: CLG Live Table 784: Local authorities' action under the homelessness provisions of the Housing Acts (P1e returns)

Synthesis of Market Signals

- 1.33 Drawing together the individual market signals above begins to build a picture of the current housing market in and around York; the extent to which demand for housing is not being met; and the adverse outcomes that are occurring because of this.
- 1.34 The performance of York against County and national comparators for each market signal is summarised in Table 1.6. When quantified, York has performed worse in market signals relating to both absolute levels and rates of change against North Yorkshire and England in 13 out of 28 measures.
- 1.35 It is clear that the City is currently facing very significant challenges in terms of house prices and private rental values causing affordability difficulties.

Table 1.6 Summary of York Market Signals against North Yorkshire and England

Market Signal	North Yorkshire		England	
	Absolute Figure	Rate of Change	Absolute Figure	Rate of Change
House Prices	Worse	Worse	Better	Worse
Affordability Ratios	Worse	Worse	Worse	Worse
Private Rents	Worse	Worse	Worse	Better
Past Development	~	~	~	~
Homelessness (Households in Temporary Accommodation)	Better	Better	Better	Better
Homelessness (Households in Priority Need)	Better	Better	Better	Better
Overcrowding (Overcrowded Households)	Worse	Worse	Better	Worse
Overcrowding (Concealed Families)	Same	Same	Better	Better

Source: Lichfields Analysis

Footnote: Worse = performing worse against the average
 Better = performing the same or better against the average
 ~ = data not available

- 1.36 To draw meaningful conclusions on the extent to which these market indicators show housing market stress within the City of York and a level of supply that is not meeting demand, the Practice Guidance suggests that comparisons of absolute levels and rates of change in such indicators should be made with comparator areas and nationally. For this reason, York has been compared and ranked against other local authority areas, and England as a whole.
- 1.37 These comparator areas have been chosen on the following basis:
- 1 Other nearby areas within the wider Yorkshire and the Humber Region:
 - a East Riding
 - b Hambleton
 - c Harrogate
 - d Hull
 - e Leeds
 - f Ryedale
 - g Selby
 - h Wakefield
 - 2 The Practice Guidance also states that market signals must be compared with authorities which are not necessarily close geographically, but which share characteristics in terms of economic and demographic factors. These authorities have been chosen by examining the ‘OAC Supergroup Area Classification Map’, produced by the ONS in 2015, which groups each local authority into various socio-economic classifications. York, as a ‘Coast and Heritage’ authority, has been compared with other communities similarly classified within this ranking and which share similar socio-economic characteristics:
 - a Bath and North East Somerset
 - b Canterbury
 - c Cheltenham
 - d Colchester
 - e Lancaster
 - f Scarborough
 - g Taunton Deane
 - h Worcester
- 1.38 England has been used as the final comparator for both sets of tables. A comparison across the range of housing market signals within the authorities identified above is presented in Table 1.7 and Table 1.8. A higher ranking in these tables suggests a worse, or comparatively poorer-performing, housing market for that indicator.

Table 1.7 York Market Signals Comparator Table [Neighbouring Authorities]

Rank	House Prices (to year ending December)			Resident-based Affordability			Workplace-based Affordability			Rents		
	2016	Change (£) 1999-2016	Change (%) 1999-2016	2016	Change (absolute) 2002-2016	Change (%) 2002-2016	2016	Change (absolute) 2002-2016	Change (%)	Sep 2017	Change (absolute) June 2011-Sep 2017	Change (%) June 2011-Sep 2017
1	Harrogate	Harrogate	York	Ryedale	Ryedale	gston upon Hull, Cit	Ryedale	Ryedale	gston upon Hull, Cit	York	England	England
2	England	York	Harrogate	Harrogate	Harrogate	ast Riding of Yorkshi	Harrogate	York	Ryedale	Harrogate	Leeds	Leeds
3	Hambleton	England	Ryedale	York	York	Wakefield	York	gston upon Hull, Cit	York	England	Harrogate	gston upon Hull, City of
4	York	Hambleton	Selby	Hambleton	ast Riding of Yorkshi	England	Hambleton	England	ast Riding of Yorkshi	Leeds	gston upon Hull, Cit	Harrogate
5	Ryedale	Ryedale	England	England	England	Ryedale	Selby	ast Riding of Yorkshi	England	Hambleton	York	Ryedale
6	Selby	Selby	Hambleton	Selby	gston upon Hull, Cit	York	England	Harrogate	Wakefield	Ryedale	Ryedale	Selby
7	Leeds	ast Riding of Yorkshi	gston upon Hull, Cit	ast Riding of Yorkshi	Selby	Harrogate	Selby	ast Riding of Yorkshi	Selby	Selby	Selby	York
8	ast Riding of Yorkshi	Leeds	ast Riding of Yorkshi	Leeds	Wakefield	Leeds	Leeds	Hambleton	Leeds	Wakefield	ast Riding of Yorkshi	ast Riding of Yorkshire
9	Wakefield	Wakefield	Leeds	Wakefield	Leeds	Selby	Wakefield	Wakefield	Harrogate	ast Riding of Yorkshi	Hambleton	Hambleton
10	gston upon Hull, Cit	gston upon Hull, Cit	Wakefield	gston upon Hull, Cit	Hambleton	Hambleton	gston upon Hull, Cit	Leeds	Hambleton	gston upon Hull, Cit	Wakefield	Wakefield
11												
12												
13												
14												
	ONS Price Paid Data			ONS Affordability Data			ONS Affordability Data			VOA Private Rental Market Statistics		

Rank	Overcrowded households			Concealed families			~			~		
	2011	Change (% points)	Change (number)	2011	Change (% points)	Change (number)						
1	Leeds	York	England	England	gston upon Hull, Cit	England						
2	England	England	Leeds	Leeds	England	Leeds						
3	gston upon Hull, Cit	gston upon Hull, Cit	gston upon Hull, Cit	gston upon Hull, Cit	Selby	gston upon Hull, City of						
4	York	Leeds	York	Wakefield	Leeds	Wakefield						
5	Wakefield	Harrogate	ast Riding of Yorkshi	Selby	Wakefield	ast Riding of Yorkshire						
6	Harrogate	Selby	Wakefield	York	York	York						
7	Selby	ast Riding of Yorkshi	Harrogate	Hambleton	Hambleton	Selby						
8	ast Riding of Yorkshi	Wakefield	Selby	ast Riding of Yorkshi	ast Riding of Yorkshi	Harrogate						
9	Ryedale	Hambleton	Hambleton	Harrogate	Harrogate	Hambleton						
10	Hambleton	Ryedale	Ryedale	Ryedale	Ryedale	Ryedale						
11												
12												
13												
14												
	Census			Census								

Table 1.8 York Market Signals Comparator Table ['Coast and Heritage' Authority Comparisons]

Rank	House Prices (to year ending December)			Resident-based Affordability			Workplace-based Affordability			Rents		
	2016	Change (£) 1999-2016	Change (%) 1999-2016	2016	Change (absolute) 2002-2016	Change (%) 2002-2016	2016	Change (absolute) 2002-2016	Change (%)	Sep 2017	Change (absolute) June 2011-Sep 2017	Change (%) June 2011-Sep 2017
1	and North East Som	and North East Som	Canterbury	and North East Som	and North East Som	Lancaster	Canterbury	Canterbury	York	and North East Som	Lancaster	Lancaster
2	Canterbury	Canterbury	York	Canterbury	Canterbury	and North East Som	and North East Som	York	England	Canterbury	and North East Som	and North East Somerset
3	Cheltenham	Colchester	Colchester	York	York	England	York	and North East Som	Lancaster	York	England	England
4	Colchester	Cheltenham	and North East Som	Colchester	Colchester	Canterbury	Cheltenham	England	Canterbury	Colchester	Colchester	Colchester
5	England	York	England	Taunton Deane	England	York	Cheltenham	Cheltenham	Cheltenham	Cheltenham	Worcester	Worcester
6	York	England	Lancaster	Worcester	Lancaster	Colchester	Taunton Deane	Lancaster	and North East Som	England	Cheltenham	Scarborough
7	Taunton Deane	Taunton Deane	Cheltenham	Cheltenham	Scarborough	Scarborough	Worcester	Worcester	Worcester	Taunton Deane	Scarborough	Cheltenham
8	Worcester	Worcester	Taunton Deane	England	Worcester	Worcester	England	Colchester	Scarborough	Worcester	Canterbury	Taunton Deane
9	Lancaster	Lancaster	Scarborough	Scarborough	Taunton Deane	Taunton Deane	Scarborough	Scarborough	Colchester	Lancaster	York	Canterbury
10	Scarborough	Scarborough	Worcester	Lancaster	Cheltenham	Cheltenham	Lancaster	Taunton Deane	Taunton Deane	Scarborough	Taunton Deane	York
11												
12												
13												
14												
	ONS Price Paid Data			ONS Affordability Data			ONS Affordability Data			VOA Private Rental Market Statistics		

Rank	Overcrowded households			Concealed families			~			~		
	2011	Change (% points)	Change (number)	2011	Change (% points)	Change (number)						
1	England	York	England	England	England	England						
2	Cheltenham	Colchester	York	Worcester	Canterbury	York						
3	Canterbury	Cheltenham	Colchester	Canterbury	York	Canterbury						
4	Colchester	England	and North East Som	Scarborough	Taunton Deane	Colchester						
5	York	Worcester	Canterbury	Lancaster	Scarborough	and North East Somerset						
6	and North East Som	and North East Som	Cheltenham	Taunton Deane	Worcester	Taunton Deane						
7	Worcester	Taunton Deane	Worcester	York	Colchester	Scarborough						
8	Scarborough	Canterbury	Taunton Deane	and North East Som	Lancaster	Lancaster						
9	Taunton Deane	Scarborough	Scarborough	Cheltenham	and North East Som	Worcester						
10	Lancaster	Lancaster	Lancaster	Colchester	Cheltenham	Cheltenham						
11												
12												
13												
14												
	Census			Census								

- 1.39 It is clear from this analysis that the housing market in the City of York is increasingly dysfunctional, with a very steep level of house price growth in recent years leading to significant affordability challenges generating adverse outcomes for residents who need to access the housing market. The comparative analysis suggests that when compared against neighbouring Yorkshire districts, York has experienced the highest rate of house price growth over the period 1999 to 2016, at levels significantly above the national average at a rate higher than the national level of growth. Only Harrogate and Hambleton have higher house prices, whilst only Harrogate and Ryedale have higher affordability ratios.
- 1.40 Median rental levels are also the highest of all the comparator Yorkshire authorities and the City has the highest rate of change of overcrowded households.
- 1.41 The performance of York's housing market relative to comparable authorities further afield (Table 1.8) which share similar socio-economic characteristics also suggests that the local housing market is under stress, with York amongst the very worst performing districts regarding rates of change in house prices, absolute and relative changes in affordability, median rents, and the rate of change in overcrowded households and concealed families.
- 1.42 The Practice Guidance, as well as providing general economic principles, points towards such factors as indicating that additional supply, over and above that solely needed by demographic change, may need to be delivered in order to address affordability and to reverse adverse housing market trends within the HMA.

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Appendix 8 – A Table of Allocation Densities

Housing Density Table

Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H1	3.54	283	80	3.54	336	95	+19%	2.87	271	94	-1%
								0.67	65	97	+2%
H2A	2.33	98	42	Deleted				Deleted			
H2B	0.44	18	41	Deleted				Deleted			
H3	2.7	25	9	3.9	81	21	+133%	1.9	72	38	+81%
H4	2.56	157	60	Deleted				Deleted			
H5	2.24	72	32	3.64	137	38	+19%	3.64	162	45	+18%
H6	1.53	49	32	Deleted				1.53	Specialist Housing use class C3b – supported housing		
H7	1.72	73	42	1.72	86	50	+19%	1.72	86	50	0
H8	1.57	50	32	1.57	60	38	+19%	1.57	60	38	0
H9	1.3	42	32	Deleted				Deleted			
H10	0.78	187	240	0.96	Deleted	195	-19%	0.96	187	195	0
H11	0.78	33	42	Deleted				Deleted			
H12	0.77	33	43	Deleted				Deleted			
H13	1.30	55	42	Deleted				Deleted			
H14	0.55	220	400	Deleted				Deleted			
H15	0.48	27	56	Deleted				Deleted			
H16	1.76	57	32	Deleted				Deleted			

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H17	0.80	37	46	<i>Deleted</i>				<i>Deleted</i>			
H18	0.39	13	33	<i>Deleted</i>				<i>Deleted</i>			
H19	0.36	16	44	<i>Deleted</i>				<i>Deleted</i>			
H20	0.33	15	45	0.33	17	52	+16%	0.33	56	170	+8%
H21	0.29	11	38	0.29	12	41	+8%	<i>Deleted</i>			
H22	0.29	13	45	0.29	15	52	+16%	0.29	15	52	0
H23	0.25	11	44	<i>Deleted</i>				0.25	11	44	-
H25	0.22	20	90	<i>Deleted</i>				<i>Deleted</i>			
H26	4.05	114	28	<i>Deleted</i>				<i>Deleted</i>			
H27	4.00	102	25.5	<i>Deleted</i>				<i>Deleted</i>			
H28	3.15	88	28	<i>Deleted</i>				<i>Deleted</i>			
H29	2.65	74	28	2.65	88	33	+18%	2.65	88	33	0
H30	2.53	71	28	<i>Deleted</i>				<i>Deleted</i>			
H31	2.51	70	28	2.51	84	34	+21%	2.51	76	30	-12%
H32	2.22	47	21	<i>Deleted</i>				<i>Deleted</i>			
H33	1.66	46	28	<i>Deleted</i>				<i>Deleted</i>			
H34	1.74	49	28	<i>Deleted</i>				<i>Deleted</i>			
H35	1.59	44	28	<i>Deleted</i>				<i>Deleted</i>			
H37	3.47	34	10	<i>Deleted</i>				<i>Deleted</i>			

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
H38	0.99	28	28	0.99	33	33	+18%	0.99	33	33	0
H39	0.92	29	32	0.92	32	35	+9%	0.92	32	35	0
H40	0.82	26	32	Deleted				Deleted			
H43	0.25	8	32	0.25	12	48	+50%				
H46	4.16	118	28	2.74	104	38	+36%	2.74	104	38	0
H47	1.11	37	33	Deleted				Deleted			
H48	0.42	15	36	Deleted				Deleted			
H49	3.89	108	30	Deleted				Deleted			
H50	2.92	70	24	Deleted				Deleted			
H51	0.23	10	43	0.23	12	52	+21%	Deleted			
H52	n/a			0.2	10	50	-	0.2	15	75	+50%
H53	n/a			0.33	11	33	-	0.33	4	12	-64%
H54	n/a			1.3	46	35	-	Deleted			
H55	n/a			0.2	20	100	-	0.2	20	100	0
H56	n/a			4	190	48	-	4	70	18	-63%
H57	n/a			2.8	93	33	-	Deleted			
H58	n/a			n/a				0.7	25	36	-
H59	n/a			n/a				1.34	45	34	-
ST1	40.70	1140	28	40.7	1140	28	0	46.3	1,200	26	-7%

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
ST2	10.43	289	28	10.4	292	28	0	10.4	266	26	-7%
ST3	7.80	197	25	<i>Deleted</i>				<i>Deleted</i>			
ST4	7.54	230	30.5	7.54	211	28	-8%	7.54	211	28	0
ST5	10.55	410	38.9	35	1250	36	-7%	35	845	24	-33%
ST7	113.28	1800	16	34.5	805	23	+44%	34.5	845	24	+4%
ST8	52.28	1400	27	39.5	875	22	-18%	39.5	968	24	+9%
ST9	33.48	747	22	35	735	21	-5%	35	735	21	0
ST11	13.76	400	29	<i>Deleted</i>				<i>Deleted</i>			
ST12	20.08	421	21	<i>Deleted</i>				<i>Deleted</i>			
ST13	5.61	125	22	<i>Deleted</i>				<i>Deleted</i>			
ST14	157.09	2800	18	55	1348	25	+36%	55	1348	25	0
ST15/ST34)	392.58	4680	12	159	3339	21	+75%	159	3339	21	0
ST16	10.23	395	39	2.04	89	44	+156%	2.18	Phase 1: 22	10	+16%
ST16	10.23	175	17					Phase 2: 33	15		
				Phase 3: 56	26						
ST17 (N)	7.16	315	44	<i>Deleted</i>				<i>Deleted</i>			
ST17 (S)		130	18	6.8	315	46	+5%	2.35	Phase 1: 263	112	+422%
							4.7	Phase 2: 600	128		

Housing



Site	Publication Draft (2014)			Preferred Sites Consultation (2016)			Change in Density (%)	Pre-Publication Draft [Reg 18] (2017)			Change in Density (%)
	Site Size (ha)	Estimated Yield	Density	Site Size (ha)	Estimated Yield	Density		Site Size (ha)	Estimated Yield	Density	
ST22	34.59	655	19	<i>Deleted</i>				<i>Deleted</i>			
ST23 (P 2)	21.91	117	5	<i>Deleted</i>				<i>Deleted</i>			
ST23 (P 3&4)		342	16	<i>Deleted</i>				<i>Deleted</i>			
ST24	10.32	10	1	<i>Deleted</i>				<i>Deleted</i>			
ST28	5.09	87	17	<i>Deleted</i>				<i>Deleted</i>			
ST29	5.75	135	24	<i>Deleted</i>				<i>Deleted</i>			
ST30	5.92	165	28	<i>Deleted</i>				<i>Deleted</i>			
ST31	n/a			8.1	170	21	-	8.1	158	20	-5%
ST32	n/a			4.8	305	64	-	2.17	328	151	+136%
ST33 (H45)	n/a			6	147	25	-	6	147	25	0
ST35	n/a			n/a				28.8	578	20	-
ST36	n/a			n/a				18	769	43	-

From: Grundy, Simon [Simon.Grundy@carterjonas.co.uk]
Sent: 04 April 2018 14:39
To: localplan@york.gov.uk
Cc: Brear, Josh
Subject: City of York Local Plan Publication Draft consultation – representations for The Retreat [CJ-WORKSITE.FID414750]
Attachments: 180404 - The Retreat reps - final.pdf; Appendix 1 - Sep 16 JLL reps.pdf; Comments_form_Sites 861 and 862.pdf

Dear Sirs,

Further to the above please see attached for completed form and representations statement plus appendix for The Retreat Living Limited.

We look forward to acknowledgement of receipt.

With best wishes

Simon Grundy
Partner

For and on behalf of Carter Jonas LLP

T: 0113 203 1095

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Carter Jonas



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Carter Jonas LLP

Place of Registration: England and Wales

Registration Number: OC304417

Address of Registered Office: One Chapel Place, London, W1G 0BG.

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		Simon
Last Name		Grundy
Organisation (where relevant)	The Retreat Living Ltd.	Carter Jonas
Representing (if applicable)		Gallagher Estates
Address – line 1	c/o agent	9 Bond Court
Address – line 2		Leeds
Postcode		LS1 2JZ
E-mail Address		simon.grundy@carterjonas.co.uk
Telephone Number		0113 223 4142

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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

Yes

No

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

Yes

No

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

The plan is not legally compliant as it is not based upon a robust Sustainability Appraisal that includes an up-to-date assessment of alternatives spatial strategies and/or housing allocations.

We have no comment in respect of 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	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

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

(Complete any that apply)

Paragraph no.

Section 2, 2.1-2.16

Policy Refs.

DP1, SS1, SS2, SS4-SS20, H1

Site Ref.

SHLAA refs. 861 and 862

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 statement of case

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 statement of case

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:

In order to fully explore the material considerations in respect of this site through the local plan process it is necessary to attend the Examination in Public to participate in the associated round table hearing sessions.

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.¹

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.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

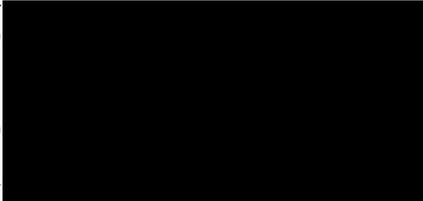
Retention of Information

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.³

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 or on [01904 554145](tel:01904554145)

Signature 

Date

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**CITY OF YORK LOCAL PLAN
PUBLICATION DRAFT (FEB 2018)
REGULATION 19 CONSULTATION**

REPRESENTATIONS

March 2018
The Retreat Living Ltd.
J0016251

Carter Jonas

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Appendices

Appendix 1: JLL Representations - February 2016

1.0 INTRODUCTION & EXECUTIVE SUMMARY

- 1.1 Carter Jonas LLP welcomes the opportunity to make representations upon the February 2018 City of York Local Plan Publication Draft (the plan) on behalf of our client, The Retreat Living Ltd. These representations are pursuant to and cross-reference with previous representations by JLL at the Preferred Sites stage.
- 1.2 The representations are in respect of the land and buildings at The Retreat, Heslington Rd, York, YO10 5BN (the site). The site is in use as a hospital specialising in mental health. As such it is a residential institution falling within Class C2 of the Town and Country Planning (Use Classes) Order 1987. Having been considered at earlier stages of the plan the land is covered by Site References 861 and 862 within the Strategic Housing Land Availability Assessment (SHLAA) (2017). Our client is keen to work with the City of York Council to help ensure a sound Local Plan can be adopted as soon as possible. We will be pleased to engage with the Council upon matters of green belt review and development potential at the site.
- 1.3 We note that the Minister for Housing, Communities and Local Government (HCLG) has confirmed (as of 23 March 2018) the council is not one of those selected for intervention. A watching brief will be maintained by HCLG to ensure the Council continues to meet the published timetable set out within the Local Development Scheme. Notwithstanding this, we have major concerns over the soundness of the plan as currently proposed.
- 1.4 In summary our main representations are:
- The Vision and Outcomes are not justified or effective as they are not backed by positive policies to meet housing need.
 - The housing requirement and the predicted housing supply is not justified, effective or consistent with national planning policy or even the council's own evidence base.
 - In particular, the minimum annual provision of 867 new dwellings per annum is not based upon any robust objective assessment of need – the council's own evidence base gives an OAN of 953dpa.
 - As a result, the draft plan will not deliver sufficient new housing or the much needed boost to the level of supply indicated by the available evidence.
 - Based on the available evidence, the plan should provide for a minimum of 1,000 new dwellings per annum.
 - Even founded on a figure of 867dpa the plan proposes insufficient housing land.
 - The spatial strategy relies too heavily on a number of key large and/or complex sites and over-optimistic and unsupported assumptions over both timing and number of dwellings to be delivered.
 - The draft plan also includes over-optimistic assumptions over the predicted level of windfall.

- Indicative densities are too high, giving unrealistic yield per hectare assumptions and potentially resulting in poor quality development and lack of new housing choice.
- The draft plan is unsound and in conflict with the NPPF as no safeguarded land is proposed to help meet “longer term needs stretching well beyond the plan period”.
- It is also unsound as alternative spatial strategies including urban extension options have not been reconsidered within the 2018 Sustainability Appraisal.
- The proposed Green Belt is unsound as the proposed inner boundary is tightly drawn to unreasonably restrict development opportunities for the necessary growth of York.
- The rear boundary of The Retreat would form a logical, permanent and strong Green Belt boundary and a well-defined edge to the built-part of the city at this point.
- The Retreat and its curtilage sit within the urban and built-up part of York and can be considered to fall outside the General Extent of Green Belt established by the Yorkshire and Humber Plan.
- The site in itself serves none of the five purposes of Green Belt as set out at paragraph 80 of the National Planning Policy Framework (NPPF).
- Development could be undertaken in a sensitive manner to protect heritage assets and the special character of the City of York.
- As a result of these matters the Retreat should not be designated as Green Belt and parts of the land could be developed for housing.

1.5 We have completed a representation form, to which is this statement is attached.

2.0 THE OVERALL DOCUMENT & GENERAL APPROACH

National Policy Background

- 2.1 Within this response, our comments are directed at specific parts of the Publication Draft Plan, which we consider make the document 'unsound'. Our response addresses the issues of soundness set out in paragraph 182 of the National Planning Policy Framework (NPPF) (2012). These require that the proposal should be: -
- Positively Prepared;
 - Justified;
 - Effective and
 - Consistent with national planning policy.
- 2.2 We have some initial comments in regards the document as a whole. Principally the concerns are as follows: -
- The Publication Draft Plan is not sufficiently strategic in focus and fails to provide a clear strategic direction for the City;
 - It fails to respond to the direction of travel within recent draft government guidance contained in CLG's White Paper 'Fixing our Broken Housing Market' (Feb 2017), 'Planning for the Right Homes in the Right Places: Consultation Paper' (September 2017) and the draft National Planning Policy Framework issued in March 2018 and associated documents.
- 2.3 It is considered that a significant amount of work still needs to be done to make the Local Plan sound. As it stands, the document is:
- Not justified because is not based on an robust and credible evidence base, and is not the most appropriate strategy when considered against reasonable alternatives;
 - Not effective due to issues of flexibility; and
 - Not consistent with current and emerging national planning policy.
- 2.4 Our specific comments are set out below on a section-by-section basis.

Section 2: Vision and Development Principles

- 2.5 The Vision and Outcomes at p16 are fairly generic and fail to say anything about the need for housing growth to help both deliver and underpin the sustainable development aims and objectives.
- 2.6 Paragraphs 2.1 and 2.2 promote the key role of York in leading Sub-Regional economic growth and new job creation whilst as safeguarding existing employment provision. The aim is to deliver 650 new jobs per annum. Paragraph 2.5 acknowledges the need to provide new homes in the form of “sufficient land for 867 dwellings per annum. Specific reference is made to ‘garden village’ developments at three locations plus “major sustainable urban extensions such as British Sugar and York Central.”
- 2.7 Policies DP1 and DP2 of the Publication Draft Plan acknowledge the need for development to meet housing needs. DP1 aims to ensure:

The housing needs of the City of York’s current and future population including that arising from economic and institutional growth is met within the York local authority area.

- 2.8 We wholeheartedly welcome this aim. For the Vision to be ‘sound’ it should also explicitly acknowledge the need to provide affordable housing and diversify the housing market. However, it is well documented that the housing target incorporated into the plan in a highly politicised manner is neither justified nor backed by the current evidence base.
- 2.9 We also maintain that significant weight should be given to the Planning for the Right Homes OAN methodology, especially given the following statement from the Government’s March 2018 Question 1(a) consultation response, subtitled “A summary of consultation responses and the Government’s view on the way forward.”:

Having considered the responses, we consider that the proposed approach to assessing local housing need is the most appropriate method that meets the three key principles of being simple, realistic and based on publicly available data. We will be publishing draft guidance on the proposed methodology alongside the revised Framework.

3.0 SPATIAL STRATEGY AND THE HOUSING REQUIREMENT

Policy SS1: Delivering Sustainable Growth for York

- 3.1 Policy SS1 is not considered to be sound as it is not positively prepared, effective or consistent with national policy for the following reasons. Our client objects to the housing requirement being set at 867 dwellings per annum. The GL Hearn Strategic Housing Market Assessment (May 2017 - the SHMA) clearly recommends that, based on their assessment of market signals evidence and some recent Inspectors decisions, the council should include a 10% market signals adjustment to the 867 figure, resulting in a requirement of 953 dwellings per annum.
- 3.2 There is no justification for not making an adjustment for market signals. The Publication Draft Plan text at paragraph 3.3: Housing Growth is silent on the methodology behind the selection of the 867dpa figure. There are significant issues of housing affordability within the city and no evidence of any recent improvement in this respect. This is in breach of the NPPF core planning principle at paragraph 17, bullet point 4. The decision makers at City of York Council Local Plan Working Group and Executive meetings in January 2018 had every opportunity to aim for a more reasonable, justified and positive target for housing delivery. This would have been fully supported and justified by the SHMA evidence base, officer recommendations (including suggested additional housing sites) and statements of case by many representors. However, the members of those committees failed to take this opportunity, choosing a figure based on only part of the GL Hearn findings. This approach is wholly unjustified and in breach of the aims and objectives of draft Policy DP1 as noted above.
- 3.3 As such, the housing requirement of 867 fails to comply with Planning Practice Guidance and as a result the Publication Draft Plan fundamentally fails to provide for the evidenced housing growth requirement and is therefore patently unsound.
- 3.4 Furthermore, an additional uplift based upon representations from businesses and bodies such as the York Chamber of Commerce should reflect the confirmed role of York as a “key economic driver”. The York Economic Strategy 2016 to 2020 also indicates the need for a further uplift. The lack of reasonable explanation for not including economic uplift is contrary to PPG advice at Paragraph: 004 Reference ID: 2a-004-20140306, as follows:

...the use of this standard methodology set out in this guidance is strongly recommended because it will ensure that the assessment findings are transparently prepared. Local planning authorities may consider departing from the methodology, but they should explain why their particular local circumstances have led them to adopt a different approach where this is the case.

- 3.5 Given the real prospects of the plan being found unsound at the earliest juncture, the council should allow for a significant increase from the 867 figure toward the 1,070dpa confirmed within the Planning for the Right Homes Publication Data spreadsheet.
- 3.6 The Publication Draft Plan housing requirement of 867 dwellings per annum wholly fails to meet the requirements of NPPF paragraph 182 in that it is not positively prepared, justified, effective and consistent with national planning policy.

Policy SS2: The Role of York's Green Belt

- 3.7 The General Extent of Green Belt for York was established by Yorkshire and Humber Plan and retained under The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013. We welcome the opportunity for the establishment of detailed Green Belt boundaries for the first time and consider that this issue goes to the heart of a sound plan for the city. Under 'saved' Policy YH9 of the Yorkshire and Humber Plan the council must *"establish long term development limits that safeguard the special character and setting of the historic city"*. However, in establishing the inner and outer Green Belt boundaries, the council must also bear in mind the need to:
- allocate sufficient land to be allocated for development; and
 - identify areas of 'safeguarded land' for potential development beyond 2033.
- 3.8 As a result of the historic restraining effect of the General Extent of Green Belt on new housing development and as well documented, there is significant pent-up housing demand across the city. Land for housing within the built-part of York is at a premium and the Publication Draft Plan already takes into account key strategic regeneration sites and their capacity to deliver new housing. Brownfield land is a finite resource and historic rates of new housing on brownfield sites are most unlikely to be maintained for the plan period.
- 3.9 Despite this, the Green Belt boundaries proposed within the plan have clearly been drawn up with maximum development restraint in mind. Given the proposed boundaries are in no small part based upon a highly flawed approach under Policy SS1 noted above, it stands to reason that Policy SS2 as written cannot be considered sound as it is not effective and justified. As highlighted above we recommend that the plan includes a significant uplift to the housing requirement. Therefore it is very likely that further land for housing will need to be identified as the plan progresses and this will of necessity take up land currently within the proposed Green Belt boundaries.
- 3.10 In view of NPPF advice at paragraph 85 it is also considered necessary to formally identify Safeguarded Land to meet longer-term development needs stretching well beyond the plan period and to ensure the Council is satisfied that the Green Belt boundaries will not need to be altered at the end of the development plan period. Whilst we recognise that the Publication Draft Plan seeks to provide "further development land to 2038" (paragraph 3.13) this falls well short of the NPPF paragraph 85 requirement to:

...meet longer-term development needs stretching well beyond the plan period.

- 3.11 In summary, the proposed inner and outer Green Belt boundaries should be relaxed as appropriate to enable additional housing land to be allocated to meet a significantly increased OAN. Safeguarded land should be also be allocated for development needs well beyond 2038. We therefore suggest that to render Policy SS2 sound it should be modified as follows:

To ensure that there is a degree of permanence beyond the plan period sufficient land is allocated for development to meet the needs identified in the plan and for a further minimum period of five years to 2038, with additional land released from the General Extent of Green Belt to be safeguarded for development beyond the plan period. (CJ amendments in bold).

- 3.12 In respect of the overall housing requirement and the proposed Green Belt boundaries we cross-refer to the September 2016 representations on behalf of The Retreat, appended herewith at Annex 1 for ease of reference.
- 3.13 We make further representations covering the methodology followed to define the Green Belt boundaries and the proposed inclusion of The Retreat below.

Spatial Strategy: Key Sites

- 3.14 Whilst we do not go into detail on each of the key sites set out between pages 32-69 of the Publication Draft Plan we have deep-seated concerns in respect of (1) the over-reliance on large, strategic sites and (2) the unrealistic yields being suggested.

Policy SS4: York Central

Whilst we do not go into the details behind Policy SS4 at this stage we note that the suggested yield includes a significant degree of optimism on the one hand and an unreasonably broad range spanning a potential 850 dwellings on the other. In particular, the suggested “1,700 – 2,500 dwellings, of which a minimum of 1,500 dwellings will be delivered in the plan period” represents a lack of clear understanding of true site potential.

- 3.15 It is worth noting that the suggested range of 1,700 – 2,500 dwellings doesn’t correlate with the council’s own York Central webpage which states:

The current proposals are subject to further technical work and consultation, but current suggestions include 1,000 to 2,500 homes...

Policy SS6: British Sugar/Manor School

- 3.16 As with SS4 above we do not go into the details behind Policy SS6 at this stage. However, we consider the suggested 1,200 dwelling yield includes a significant degree of over-optimism. We note the October 2017 Planning Committee report for undetermined planning application ref. 15/00524/OUTM refers to “*up to 1,100 dwellings*” whereas the subsequent January 2018 Design and Access Statement sets out a range of scenarios resulting in as few as 675 units (Option A, at 35dph), up to a maximum of 1,076 units (Option C, at 45dph).

4.0 HOUSING ALLOCATIONS

Policy H1: Housing Allocations

- 4.1 This section of the plan seeks to confirm *the “policies and allocations to positively meet the housing development needs of the city”*. We maintain for the reasons given above and as set out in extensive representations to date, the proposed housing allocations will not meet the appropriate level of OAN for the City over the plan period. In this respect the plan is not sound, justified, effective or in accordance with national policy.
- 4.2 It is vital the Council produces a plan which can deliver against its full housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period and that the plan allocates more sites than required to meet the housing requirement as a buffer. To meet NPPF requirements for the plan to be positively prepared and flexible the buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites.
- 4.3 As far as we are aware, the Council has not provided a robust assessment of trajectory for the housing allocations and therefore it is difficult to provide a detailed analysis of the likely delivery rates of the individual sites. However, on the limited information available it is considered that the plan significantly underestimates the length of time it will take for the housing allocations to start delivering completions. A significant amount of supply is based upon the regeneration sites and large strategic allocations set out within Section 3: Spatial Strategy and therefore are likely to take a number of years to achieve detailed planning permission given the requirements for, *inter alia*, remediation, Environmental Impact Assessment and complexities of the likely Section 106 Agreements involving the delivery of new schools, local centres and significant pieces of infrastructures etc.
- 4.4 Furthermore, a number of the sites are under multiple ownerships and therefore may take many years for land assembly to take place and the drawing up contractual agreements with developers. These combined factors mean that a large number of the housing allocations are unlikely to start delivering completions within the first 5 years of the plan period.
- 4.5 Our client is concerned that the methodology used for determining the capacity of the proposed allocations has overestimated the amount of housing that will be delivered on the sites. It is considered that the build out rates and density levels contained in the SHLAA are not realistic or robust.
- 4.6 As evidenced by the Windfall Technical Paper the housing supply makes an allowance for windfall sites of 169 dwellings per annum from plan year 4. As noted above, previously developed land is a finite resource and, similarly, historic rates of windfall are most unlikely to be maintained for the plan period. Furthermore, we note the allocation of smaller sites for only a handful of units (e.g. Site H53 Land at Knapton Village for 4 dwellings) which might otherwise have been considered windfall should they come forward. As a result, we object to the

inclusion of over 2,000 units of windfall within supply as a result of being wholly unsupported, unsound and lacking justification.

- 4.7 The above will necessitate additional housing allocations being identified. Failure to identify additional housing will impact upon the overall delivery of the Local Plan aims and objectives to meeting housing need.
- 4.8 We suggest that SHLAA Site Refs. 861 and 862 should be allocated for housing. This could be achieved in a sensitive manner in respect of heritage assets (please see below) and potentially contribute an estimated 250 dwellings to supply on what is previously developed land within the urban part of York. This would assist The Retreat in providing a new hospital replacing the current underused and obsolete facilities.

5.0 GREEN BELT

Policy Background

5.1 The City of York Green Belt remains in existence as a result of The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013. This confirmed that:

The Regional Strategy for Yorkshire and Humber is revoked except for—

(a) the policies of the RSS set out in the Schedule to this Order (“the RSS York Green Belt policies”); and

(b) the Key Diagram of the RSS insofar as it illustrates the RSS York Green Belt policies and the general extent of the Green Belt around the City of York.

5.2 Under (a), Policies YH9(C) and Yorkshire(C) were retained as follows:

POLICY YH9: Green belts

C 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.

POLICY Y1: York sub area policy

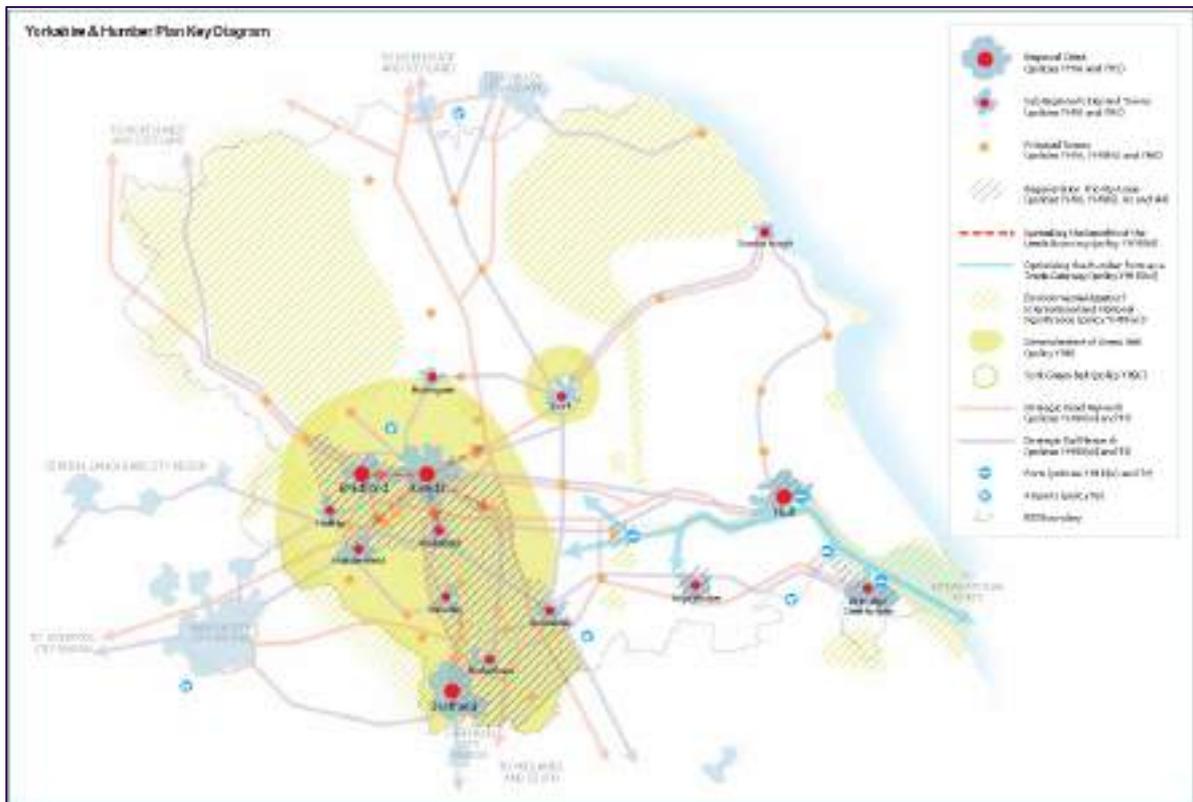
Plans, strategies, investment decisions and programmes for the York sub area should:

C Environment

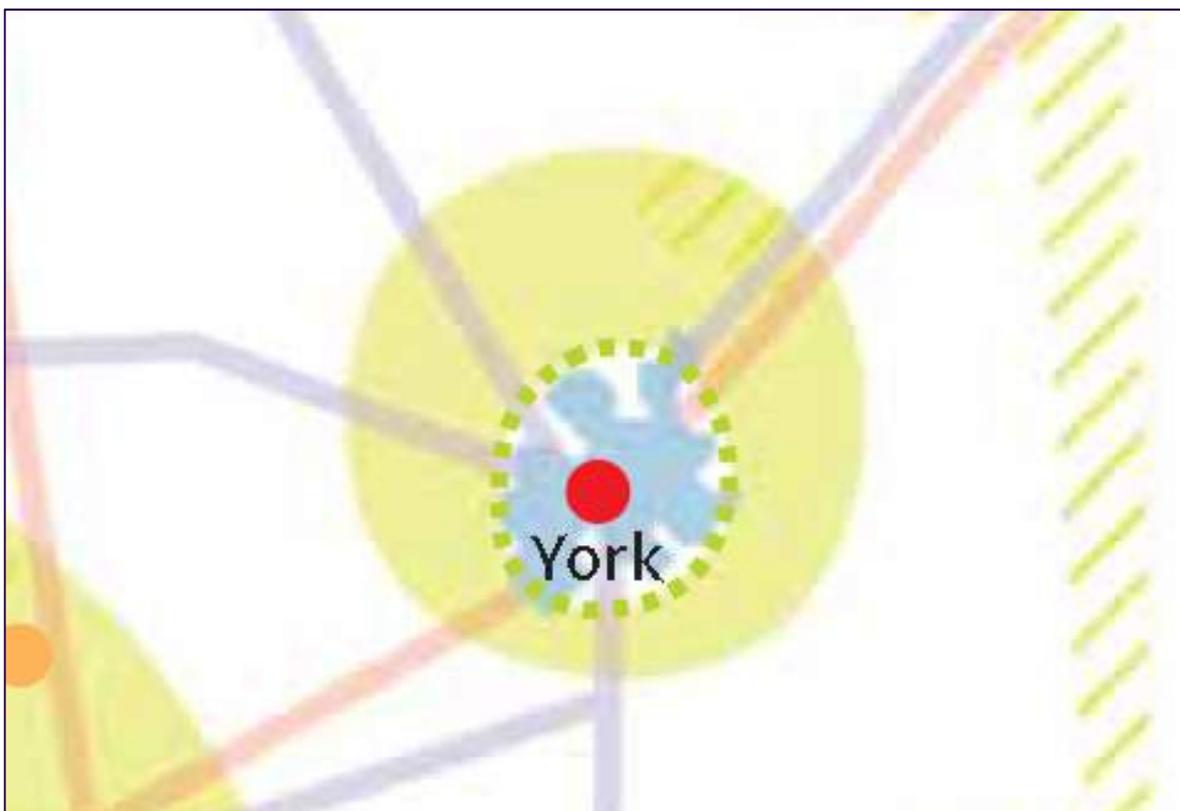
1. In the City of York LDF, define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.

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.

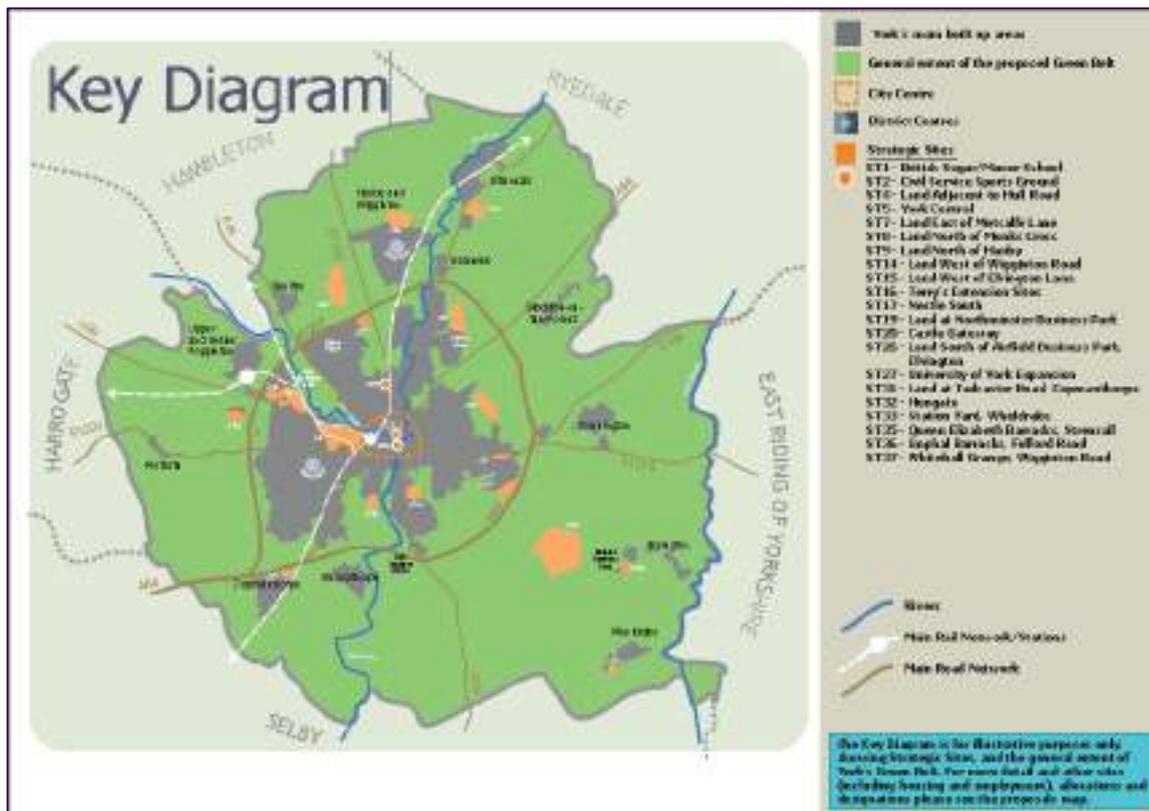
5.3 Under (b) the following Key Diagram is retained but only to indicate the general extent of the York Green Belt:



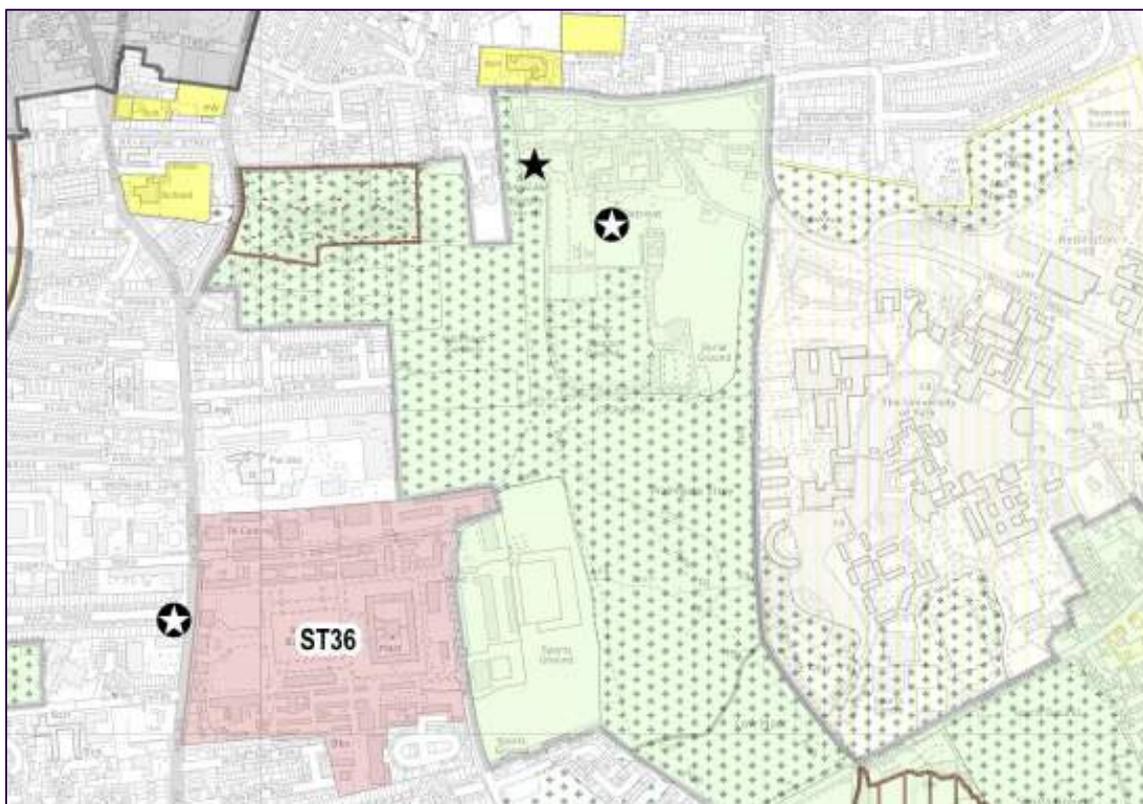
5.4 The following enlargement shows the general extent and inner edge more clearly



5.5 The draft plan includes a proposed more detailed Key Diagram as part of the introduction, which shows the General extent of the proposed Green Belt as follows:



5.6 The detailed Proposals Map South shows the proposed Green Belt boundary for The Retreat as follows:



5.7 The Green Belt background papers and evidence base are closely linked to the assessment of historic character and setting, with the following key documents:

- The Approach to the Green Belt Appraisal – February 2003
- Historic Character and Setting – January 2011
- Historic Character and Setting: Technical Paper Update – June 2013

5.8 These variously consider the open land around the city and classify different elements as having importance as one of the following:

- Village Setting
- Rural Setting
- Strays
- Green Wedge
- River Corridors
- Extension of the Green Wedge
- Areas Preventing Coalescence

5.9 The Retreat is assessed as being part of a Green Wedge, defined as part of the historic character and setting of York within the 2003 report as follows:

The green wedges are a characteristic feature of York. They form large tracts of undeveloped land which largely extend the countryside into the city. They prevent the lateral coalescence of different parts of the urban area and help to retain the distinctive characteristics of earlier periods of individual settlements. The green wedges bring a feeling of the countryside within a close proximity to the centre of the city. Their open nature allows views of the city to be enjoyed including important vistas towards the Minster.

5.10 The 2003 report assesses The Retreat as part of Area C3: Extension to Walmgate Stray, described as follows:

- *Open grounds of the Retreat situated within the Retreat and Heslington Road Conservation Area*
- *The open setting of the city and open space adjacent to the Barracks.*
- *Open approaches providing a rural setting to the city affording good views of the Minster.*

5.11 The 2017 SHLAA assesses the site in terms of heritage and landscape and concludes:

The entire site is currently within the greenbelt and needs to remain so.

Green Belt Assessment on behalf of The Retreat

- 5.12 We consider the SHLAA conclusion to be incorrect on both whether the site is in the Green Belt already and whether or not it should be protected as such.
- 5.13 The Retreat is part of the urban area of York. The buildings are urban in character and closely relate to the built development on three sides and the adjacent Low Moor Allotments. The grounds form the curtilage of the hospital and thus a single planning unit albeit split into areas of different character and use.
- 5.14 The Key Diagram at 5.5 above purports to show the “General extent of the proposed Green Belt” as including the Green Wedges and Strays that extend into the main built part of York. However, this is not the case with the Yorkshire and Humber Plan Key Diagram copied above at 5.3 and enlarged at 5.4 which, despite being diagrammatic, show “York Green Belt (policy YH9C)” to not include the Green Wedges and Strays.
- 5.15 It is for the local plan process to determine the inner edge of the Green Belt and whether or not the Green Wedges and Strays should be included or protected by other means.
- 5.16 We are concerned that the proposed detailed Green Belt boundaries are based upon evidence that is out-of-date, going back as far as 15 years and preceding not only the draft NPPF but the current 2012 document as well. We are also concerned that the proposed inclusion of The Retreat is based on the misapprehension that the land is already in the Green Belt. It is not.
- 5.17 Taking the fundamental NPPF aim of Green Belts into account we consider The Retreat and curtilage land is not “permanently open” and makes no contribution to preventing urban sprawl into the wider countryside. If designated as Green Belt, the site would make no contribution toward openness. Turning to the five purposes of Green Belt at NPPF paragraph 133 (a-e) we consider that the site performs as follows:
- a) As noted above, we consider the site and its wider context to be built-up in character in any event. As developed land, designating the site as Green Belt would have no benefit to keeping urban sprawl in check.
 - b) The site plays no role in preventing the coalescence of neighbouring towns.
 - c) Similarly, being already part of the urban area, it plays no role in safeguarding against countryside encroachment.
 - d) The site in itself does not preserve the historic core of York. Providing it is done in a manner sensitive to the listed building, conservation area and scheduled monument heritage assets, development could take place without harm to the setting and special character of York. Green Belt status is not needed to safeguard this aspect.
 - e) The buildings and curtilage are urban in character. Designation as Green Belt would in effect discourage making best use of under-utilised urban land.

- 5.18 A full assessment on these matters is set out within Table 1 of the JLL representations at Appendix 1.
- 5.19 Furthermore, the council has failed to demonstrate the necessity for the site to be within the Green Belt as required by NPPF 82. It has not shown why “normal planning and development management policies would not be adequate”.
- 5.20 Given the short supply of development land in sustainable locations and the benefits of new housing close to existing shops and services, the proposed designation of the site as Green Belt is contrary to paragraph 84 of the NPPF.
- 5.21 In proposing to designate the site as part of the Green Belt the council is in conflict with paragraph 85 of the NPPF as it will be contrary to the required allocation of sufficient land for sustainable development and it is not necessary to keep the site permanently open. The lack of sufficient proposed safeguarded land as noted above is also contrary to paragraph 85.
- 5.22 In summary, we maintain that The Retreat should not be deemed to be within the current General Extent of Green Belt and that it would meet none of the NPPF purposes of Green Belt land. The Retreat does not have the characteristics of openness normally associated with Green Belt, having significant built form and character, set within mature, walled grounds.
- 5.33 If Walmgate Stray is ultimately included within the designated Green Belt, the southern boundaries of Low Moor Allotments and The Retreat would give a clearly defined and strong boundary to the Green Belt at this point, marking the urban edge of this part of York.

6.0 CONCLUSION

6.1 These representations set out fundamental flaws in the Publication Draft Plan and explain why it is unsound. In particular, it fails to meet the NPPF paragraph 157 requirement to:

...plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework...

6.2 The most significant concerns are the proposed unacceptably low annual housing provision, tightly drawn Green Belt boundaries and insufficiency of housing land allocation would combine to hold back growth to unreasonably low levels.

6.3 To summarise in more detail:

- The Vision and Outcomes are not justified or effective as they are not backed by positive policies to meet housing need.
- The housing requirement and the predicted housing supply is not justified, effective or consistent with national planning policy or even the council's own evidence base.
- The minimum annual provision of 867 new dwellings per annum is not based upon any robust objective assessment of need – the council's own evidence base gives an OAN of 953dpa.
- The draft plan will not deliver sufficient new housing or the much needed boost to the level of supply indicated by the available evidence.
- The plan should provide for a minimum of 1,000 new dwellings per annum.
- The spatial strategy relies too heavily on a number of key large and/or complex sites and over-optimistic and unsupported assumptions over both timing and number of dwellings to be delivered.
- The draft plan also includes over-optimistic assumptions over the predicted level of windfall.
- Indicative densities are too high, giving unrealistic yield per hectare assumptions and potentially resulting in poor quality development and lack of new housing choice.
- The draft plan is unsound and in conflict with the NPPF as no safeguarded land is proposed to help meet “longer term needs stretching well beyond the plan period”.
- The proposed Green Belt is unsound as it is tightly drawn to unreasonably restrict development opportunities for the necessary growth of York.
- The proposed inclusion of The Retreat within the Green Belt is not supported by evidence and is unjustified. In this respect the plan is unsound.
- The site would neither perform any of the five NPPF purposes of Green Belt, nor would it contribute to the key characteristic of openness.
- The southern boundaries of Low Moor Allotments and The Retreat would form a logical, permanent and strong Green Belt boundary and a well-defined edge to the built-part of the city at this point.

- 6.4 Our client's land at The Retreat, York is fully deliverable and represents one of the most appropriate sites for allocation when considered against reasonable alternatives.
- 6.5 We respectfully maintain that the site, SHLAA ref. 861 and 862 should be released from the Green Belt to be allocated for housing within the plan period for the extensive reasons noted within these representations.

12-Sep-16

City of York Local Plan
Preferred Sites Consultation
September 2016
Representations:
The Retreat, York



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Appendix 1 – Site Location Plan

1 Introduction

- 1.1 JLL is appointed as planning and heritage advisor to The Retreat, Heslington Road, York. The Retreat is an operational hospital (use class C2) which specialises solely in mental health illnesses. It is a residential institution.
- 1.2 The Retreat is an important and well used hospital. To continue to provide its current services to patients, the Retreat needs to relocate into a modern fit for purpose hospital facility that will secure its long term future. The current facility is struggling to meet current demands and regulatory standards. This decision has been reached on the basis of the shortcomings of the existing facility which has significant limitations on site operations.
- 1.3 To deliver a new hospital, the majority of The Retreat group of buildings will become obsolete. Furthermore, the new facility will require significant levels of cross subsidy to achieve a viable facility. It is therefore necessary to generate sufficient funds from the existing estate by way of conversion of the listed building to primarily residential use and new build residential development. These uses have been selected on the basis of an in depth analysis of potential uses.
- 1.4 **In this capacity, JLL makes the following representations to the City of York Local Plan Preferred Sites Consultation document, to promote the site for development.** The site sits within the red line boundary shown in Appendix 1 for consideration as part of this representation.
- 1.5 It is proposed by JLL that the site is allocated as a mixed use development for the following uses:
 - Health care facilities – residential institution, use class C2;
 - Health care facilities – day care clinic, use class D1;
 - Housing- conversion of existing buildings and new build, use class C3.

2 Background to the Retreat

- 2.1 The Retreat hospital was built in the 1790s to provide care for people with mental health illnesses. It was the first hospital of its kind, worldwide, to provide a radical and ethical approach to mental health treatment. The concept was created by William Tuke, a Quaker. The Quaker heritage remains fundamental to the ethos and care delivered at The Retreat. The Quaker input and support into the hospital remains. The Retreat is passionate about maintaining its legacy and in continuing to develop exemplar modern mental health care.

3 Description of Site and Surrounding Area

- 3.1 The Retreat site extends to approximately 16.18Ha (40 acres) and includes a range of buildings and land associated with The Retreat facility.
- 3.2 The site can be split into three distinct elements:
- the buildings provide the main element of The Retreat health facility;
 - the grounds and sports facilities; and
 - agricultural grazing land.
- 3.3 The buildings include a number of heritage assets comprising:
- The Retreat Hospital, 107 Heslington Road – grade II listed – originally constructed between 1793-97, but extended in 1800-30, C19 and C20 and modernised in c.1960;
 - Garrow House, Heslington Road – grade II listed – originally a house dating from 1835, now a students' residence but also extended in C19 and C20;
 - Summerhouse – grade II listed – an early C20 summerhouse, primarily included for group value with the main hospital building;
- 3.4 A range of other buildings, of varying degrees of architectural merit established around the northern part of the site close to the main Retreat building.
- 3.5 In addition a scheduled ancient module is located to the north west of The Retreat. This is Lamel Hill – an Anglo Saxon tumulus.
- 3.6 The whole site falls within the 'The Retreat/Heslington Road Conservation Area', designated in 1975, in addition to a number of residential properties to the north-west.

4 Policy Context

- 4.1 Representations are made by JLL in respect of promoting the site for a mixed use allocation with predominant uses of health care and housing. It is acknowledged that the Preferred Sites Consultation document of July 2016 focuses on housing and employment land. However, some sites will include a mix of uses which indeed are encouraged, thus creating sustainable development. It is therefore important that this site is considered as part of the consultation process and is put forward as an allocated site which can contribute to the Council's housing requirements as well as help to retain an essential hospital facility within the site.
- 4.2 In considering the suitability of The Retreat site as a future mixed use health and housing allocation it is important to consider the planning policy background. JLL has therefore set out what it considers to be the most relevant policies in promoting this site for a health and housing allocation.
- 4.3 The relevant statutory development plan comprises the City of York Draft 'Local Plan' - incorporating the 4th set of changes (April 2005) which is used for development management purposes. Other material considerations include the adopted National Planning Policy Framework (NPPF), supplementary guidance, and emerging policies.

City of York Draft 'Local Plan' 2005 (CoYDLP)

- 4.4 The CoYDLP identifies the site as sitting with the green belt. Policy SP2 states:

"The primary purpose of the York Green Belt is to safeguard the setting and historic character of the City of York and is defined on the Proposals Map."

- 4.5 The Retreat is shown below.



4.6 The Proposals Map designates the site as Green Belt. It also identifies part of the site as a 'Major Developed Site in the Green Belt following guidance published in 1995 under PPG2. Outside the site perimeter, the proposals map shows a "Proposed Cycle / Pedestrian Network" routes (red broken line).

4.7 JLL acknowledges that the designation of 'Major Developed Sites' in the Green Belt was superseded with the introduction of the NPPF. Nevertheless it is important that the Site's development is acknowledged as an operational developed site.

City of York Local Plan Preferred Sites Consultation July 2016

4.8 The Preferred Sites Consultation focuses primarily on the allocation of sites of 0.2 ha and above across York for housing and employment uses. JLL acknowledges that the future Local Plan's main function *'is to help direct and manage different development across the city whilst simultaneously supporting economic prosperity, promoting a sustainable environment and creating an inclusive place to live.'*

4.9 JLL considers that The Retreat site can contribute to the Local Plan's function by providing a mixed use development which supports:

- economic prosperity;
- within a sustainable environment; and
- be an inclusive place to live.

4.10 The consultation document focusses on a revised portfolio of sites for housing and employment allocations across the city based on updated evidence.

4.11 The sites put forward include those consulted previously within the Preferred Options Local Plan 2013 and Further Sites consultation 2014 and new sites. Some have been removed.

4.12 The Retreat site does not form part of any previous consultation documents (2013 and 2014) or this current consultation document of 2016. The purpose of this report is therefore to follow (based on the information available to JLL) methodology used by York City Council to identify suitable sites for housing allocations.

4.13 The consultation document of 2016 acknowledges paragraph 17 of the NPPF:

4.14 Allocation of The Retreat site will help to meet identified housing needs of York city, provide an opportunity to redevelop the site to provide housing whilst prioritising the requirement for a new fit for purpose hospital facility to meet mental health needs. Furthermore, the site can help to respond to the market signals to meet the residential needs of the community in line with paragraph 17.

4.15 Furthermore, The Retreat Site can help to achieve the objectives set out at paragraph 47 'Delivering a wide choice of high quality homes' which states that:

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

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

- Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land...;
- Identify a supply of specific, developable sites or broad locations for growth, for years 6 – 10 and, where possible, for years 11 – 15...”

4.16 Footnote 11 with reference to paragraph 47 states that:

“To be considered developable, 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....”

4.17 Footnote 12 with reference to paragraph 47 states that:

“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.”

4.18 Any site identified in the SHLAA should also be considered available and be able to be viably developed in order to be in conformity with the NPPF. Whilst The Retreat site is not included within the SHLAA, JLL can confirm that the site is available for development given surplus land needs to be released for development to fund the delivery a new hospital. Therefore the Site can be considered to be available and be viably developed during the plan period. This is confirmed by the site owner.

4.19 This representation provides further evidence that the Site should be considered as a housing allocation within the City of York Local Plan.

4.20 The site has the potential to deliver a combination of houses through conversion of existing buildings, some of which are listed, and new build homes. The site is able to deliver:

- circa 100 converted homes; and
- circa 150 new build homes, totalling
- **circa 250 new homes**

across the site of 16.18ha in addition to a new specialist mental health hospital.

5 Quantifying the Need and Demand for Housing

- 5.1 It is understood that the Council seeks to deliver 841 dwellings per annum. During the 20 year plan period 2017 to 2032, the Council would require 16,820 dwellings to be delivered. JLL has reviewed the housing requirement figures set out in the Strategic Housing Market Assessment (SHMA) by GL Hearn on behalf of the Council of June 2016, which is also subject to public consultation; and 'York's Local Plan: FAQs' document.
- 5.2 Taking account of completions, commitments and windfalls (152 per annum) which total 8,543 units, the plan seeks to allocate sites to deliver a further 8,277 units.
- 5.3 Furthermore, the Council seeks to secure a further 2,540 units for the five year period to 2037 to ensure that no changes are required to the Green Belt boundary during this period.
- 5.4 Therefore it is understood that allocations are required for 10,817 units up to 2037.
- 5.5 On reviewing Tables 6 and 7 of the Preferred Sites Consultation July 2016, the Council has identified sites which could deliver 10,161 dwellings during the period 2017 to 2032. Whilst JLL has not sought to analyse the current housing figures in detail, assuming this is an exercise for future public consultation it appears that the Council has a shortfall of 656 dwellings, if allowance is to be made for the additional five year period to 2037.
- 5.6 The Retreat site can help to achieve the Council's goal as the site is available during the plan period to 2032 by providing a **further estimated 250 dwellings**.
- 5.7 Furthermore, it is commonly accepted that whilst sites are allocated for housing, there are some that may not come forward during the plan period for a range of currently unknown reasons. Therefore even if the Council may have identified sufficient housing land to deliver its requirements, additional sites can help to ensure that there is a greater chance of the plan meeting its housing delivery objectives over the plan period. The NPPF does not limit the amount of housing to be allocated rather it sets a minimum target.
- 5.8 The proposed allocation of The Retreat Site is therefore essential to help meet the Council's housing requirements during the plan period.

6 Green Belt Review

- 6.1 The Preferred Sites Consultation July 2016 acknowledges that currently a draft Green Belt boundary is in place and the Council is yet to set 'detailed Green Belt boundaries for the first time'. This will take place as part of an ongoing Green Belt Appraisal.
- 6.2 The Retreat Site sits within the draft Green Belt boundary. The draft Green Belt '*was identified for the purposes of conserving the historic character and setting of the city.*' The NPPF is clear at paragraph 79, that the '*fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open...*'.
- 6.3 The Site sits in the urban area of York, and does not contribute to urban sprawl.
- 6.4 As indicated above, on review of the Preferred Sites Consultation July 2016 it is important to identify sufficient housing across the City of York including beyond the plan period to 2037 which will inform the review of the Green Belt.
- 6.5 Given The Retreat Site currently sits within the draft Green Belt, JLL has carried out, as set out below, an assessment of The Site against the purposes of Green Belts as set out in the NPPF, paragraph 80, to demonstrate the Site does not meet the purposes of the Green Belt.
- 6.6 The allocation of The Retreat Site has the potential to make an important contribution to the delivery of housing and wider uses including the essential and established Retreat hospital therefore make an important contribution to the soundness of the Preferred Sites.
- 6.7 The Site is located at the southern edge of the City of York which:
- would represent 'infill' and 'rounding off' development given the residential development to the west, residential development and school to the north and the University of York campus to the east of the site;
 - has strong physical boundaries on all sides;
 - comprises a mix of existing listed and non listed buildings across the site;
 - sports facilities including a bowling green; and
 - is available for development within five years given the hospital's requirement to release the land for development to facilitate the development of a new hospital , with confirmation from the landowners.
- 6.8 Furthermore:
- development at the Site has a low potential to lead to unrestricted sprawl;
 - development of the Site would not result in the merging of settlements;
 - the Site does not perform an important role in safeguarding the countryside from encroachment;
 - development of the Site would be sensitive to and protect the setting and special character of historic features.

6.9 Whilst the Council is understood to be preparing its own Green Belt Appraisal, this information is not currently available in the public domain. JLL has therefore carried out its own assessment of The Retreat Site, following the NPPF ‘five purposes’ set out at paragraphs 79 and 80. JLL’s assessment is set out below in Table A and which demonstrates that the Site should be considered as an allocation for development.

Table A

Purpose	Assessment
<p>1. Check the unrestricted sprawl of large built up areas</p>	<p>Development at the Site would constitute “infill” and “rounding-off” development. There are strong physical boundaries on all sides with houses to the west and north, a school to the north, the University of York campus to the east, and a permanent physical red brick wall along the southern boundary of the site.</p> <p>Heslington Road and Thief Lane define the site’s boundary on its northern end with brick and railing features. A mix of predominantly brick wall and sections of iron railings define the western boundary. The eastern boundary at its northern end is defined by University Road and established hedgerows and timber posts. The established hedgerows and fences define the remainder of the eastern boundary. The southern boundary is defined by the clear permanent brick wall which is circa 2.5m high. A short section on the eastern end of the southern boundary is replaced by a strong line of mature trees which continues north along the eastern boundary. The boundaries present a well contained site.</p> <p>The site is accessible by road from Heslington Road and Thief Lane across the northern boundary and University Road along part of the eastern boundary.</p> <p>Heslington Road bends into the site from the northern boundary, and extends in a south easterly direction through the site to the University. This provides 24/7 access by foot for students and members of the public who can walk through the northern part of the site. This further demonstrates the site’s integration with neighbouring uses.</p> <p>There is an internal road network within the site to provide access to all parts of the site from north to south and across from east to west by vehicles demonstrating that different parcels of land within the site are accessible and that the site is overall permeable.</p> <p>The site forms part of the wider area and integrates well with the surrounding uses. It is not isolated and has dense development on three sides. Indeed the site was recognised as a ‘Major Developed Site’ within the Green Belt as part of a former draft iteration of the Plan, thus acknowledging it is an active site within the local area.</p> <p>Between the site and surrounding developments on its western and eastern boundaries are slim corridors which form part of the medieval Walmgate Stray. These ‘fingers’ help to define the strong boundaries of the Site and form part of the historic character of the City.</p> <p>Within the northern part of the site it is developed with buildings extending to three and four storeys in height and additional buildings, particularly along the eastern side which contribute to the urban character of the site.</p> <p>There are no openings within the site along the southern boundary. The boundary is a strong physical feature which clearly defines the extent of the site and prevents any sprawl beyond the site boundary. This provides a defined boundary between The Retreat and the surrounding Walmgate Stray.</p> <p>The site is well contained and does not suggest its demise could spill outwards or be extended in any direction.</p>

Purpose	Assessment
	<p>The contained design of the site by way of its strong boundaries means that the site turns its back on the Walmgate Stray and indeed the rest of the draft Green Belt. Therefore development of the site would not harm the openness of the Green Belt as it sits distinctly out with the open countryside and is of a distinctly different character to the surrounding area. .</p> <p>The site benefits from established strong boundary features and surrounding uses; within an area of dense development; existing accessibility; and a contained parcel of land which demonstrate that the candidate site has low potential for urban sprawl.</p> <p>Overall conclusion:</p> <p>Development of the Site would result in low potential to lead to unrestricted sprawl.</p>
	<p>2. Prevent neighbouring towns from merging into one another.</p>
	<p>There are strong boundaries on all sides with development to the east, west and north. The Site is well contained with strong physical and natural boundaries which define the site on all sides including red brick walls and hedgerows; and roads including Heslington Road, Thief Lane and University Road. Walmgate Stray also frames the site beyond its western, eastern and southern boundaries. Furthermore, Walmgate Stray extends south of the site and opens up into countryside. The site sits within the urban environment of the City of York. Therefore the strong boundaries of the Site perform a role in preventing neighbouring towns from merging.</p> <p>Furthermore, the site would constitute infill development and 'rounding off'. The nearest settlement beyond the City of York is located beyond the A64 to the south. Moreover, development has extended southwards to the west and east of The Site towards the A64 including housing, the Imphall Barracks along Fulford Road to the west; and the University of York to the east. The Retreat Site is much further north and is prevented from further expansion beyond its southern boundary by the Walmgate Stray and indeed its own physical boundaries. Thus any potential for sprawl is prevented hence controlled.</p> <p>This would mean development of the Site would not visually or physically lead to the merging or physical connection of settlements. The site is not considered to be within an essential gap and therefore would not compromise the purpose of the Green Belt.</p> <p>Overall conclusion:</p> <p>Development of the site would not result in the merging of settlements.</p>
	<p>3. Assist in safeguarding the countryside from encroachment</p>
	<p>The Site sits within the draft Green Belt boundary of York. Whilst this is the case existing development immediately west, north and south of the site sits outside of the Green Belt.</p> <p>The Site benefits from strong boundaries on all sides. The Walmgate Stray wraps around the west, east and southern boundaries. Particularly on the western and southern boundaries of the site, solid physical boundaries including red brick walls and railings provide strong definition of the boundary of the site. Along the eastern boundary, natural hedgerows and mature trees define the boundary with timber posts. The boundaries clearly define the site to refrain the site from encroaching on the countryside. Furthermore the site is physically and visibly contained such that it turns its back on the surrounding open countryside to the south.</p> <p>The draft Green Belt boundary would be more robust if redefined to follow the strong established brick walls and railings (north and west boundary), roads (north boundary) roads and hedgerows (east boundary) and brick wall and strong tree line (south boundary)</p>

Purpose	Assessment
	<p>which are recognisable, substantial, physical and natural features which can sit outside of the draft Green Belt. These features are readily recognisable and permanent as required within paragraph 85 of the NPPF.</p> <p>Indeed as mentioned above the Council has previously acknowledged the Retreat as a Major Developed Site in the Green Belt. This further demonstrates the site does not function as a site which safeguards against encroachment into the Green Belt.</p> <p>The site is accessible from the north along Heslington Road. A path from Heslington Road spurs into the site in a south easterly direction towards and into the University of York campus. The path does not cross the Walmgate Stray to the east of the Site. The Stray begins immediately south of the path allowing walkers/cyclists to access the site at this point. There are no other breaks within the Site boundary which allow any access. Therefore all access to the site is from the north and north east. Access into the site is appropriately located at established points which draw visitors in from the surrounding urban areas of the City. Importantly there are no points of access into the Stray to the south which could otherwise result in encroachment into the countryside.</p> <p>There are no known nature conservation designations within or abutting the site. The St Nicholas Fields Local Nature Reserve is circa 0.5km north of the site; the York SINCR is circa 1 km south east of the site; and the Fulford Ings SSSI is circa 2km south west of the site. The site therefore does not perform a role in safeguarding the countryside from encroachment.</p> <p>The site sits within the The Retreat/Heslington Road Conservation Area. Therefore existing woodland and hedgerow are protected. Hedgerows are present along the boundary of the site therefore would primarily be retained. There are no formal woodlands through the site although several trees are scattered through the site. Whilst trees are protected under the Conservation Area designation, they are scattered throughout the site and within the clearly defined boundaries. Any trees which are positioned along the site boundary would continue to contribute to that boundary resulting in a contained site.</p> <p>Indeed the strong boundaries are further enhanced by the established trees within the site boundary which further screen the site thus minimising an visual impact into the site from the Walmgate Stray and vice versa, thus reducing any impact on landscape character into the Stray. The trees and hedgerows within the site perform a function which refrain the site from encroaching on the countryside.</p> <p>The site includes circa 4 ha of agricultural grazing land for horses along its eastern side. Part of this area is classified as Grade 2 Agricultural Land in the post 1988 classification. A phase 1 ecology report identifies this part of the site as semi improved grassland. Whilst part of the site is classified as Grade 2, the site is not used intensively for agricultural use. No other areas of land are used for agricultural purposes within the site. The land slopes downwards, north to south. Removal of the agricultural use in this part of the site is unlikely to encroach on the countryside as the site is strongly defined by the existing hedgerows and trees within the site.</p> <p>There are several buildings across the site dominated by the Main Retreat building itself. This dominates the northern part of the site and has been extended over time westwards, eastwards and southwards. Additional associated medical buildings are located on the front lawn overlooking Thief Lane and University Road. Further buildings for medical use are located along the internal road network primarily on the eastern side of the site. A mix of former agricultural buildings and other outdoor buildings are also established within the site which are primarily used for maintenance and storage to the site's main hospital operation and for maintaining the grounds. A large part of the site is therefore classed as brownfield land.</p> <p>The site has been in active use as a hospital since its development began in 1793. The site has expanded over time and is an established 24/7 operation. Whilst the main building and others are listed, the site operates and functions as an urban location and does not function as a site that safeguards the countryside from encroachment.</p> <p>It can therefore be concluded that the site does not perform an important role in safeguarding the countryside from encroachment.</p>

Purpose	Assessment
	<p>Overall conclusion:</p> <p>For the reasons set out above, the site does not perform an important role in safeguarding the countryside from encroachment, this is primarily because the site is accessed from the north; the site's strong boundaries on all sides create a contained environment which is not overlooked, particularly from the south; the site functions as a 24/7 operation within an urban setting; and which turns its back on the open countryside including the Walmgate Stray to the south.</p>
	<p>4. Preserve the setting and special character of historic towns</p>
	<p>The redevelopment of The Retreat site will preserve the setting and special character of the City of York.</p> <p>The setting and special character of the City of York is formed by the medieval Strays which provide green 'wedges' which extend from the surrounding countryside into the City Centre. These are an essential part of the character of the City. The Walmgate Stray wraps around the eastern, southern and western boundaries of the site and is protected from any future development. This green setting to the City will not be affected by the development of the Retreat Site, particularly given the historic nature of the site where the potential for effects on the setting of the listed building will be a key consideration.</p> <p>The site forms part of The Retreat/Heslington Road Conservation Area and includes three grade II listed buildings and an ancient scheduled monument. It forms part of the wider conservation area which sits outside of the current draft Green Belt comprising Fairfax House to the west of The Retreat.</p> <p>The development of the site can be designed and planned to ensure the significance of the site – not only the listed buildings but also the character and appearance of the conservation area – can continue to be preserved. The requirement for planning permission and/or listed building consent provides a degree of control of development with which the Council will have tight control. The boundary of the Site is tightly defined (and constrained) with surrounding walls and railings which will provide a natural limitation on the potential extent for development and already provides a distinction between the surrounding green area associated with the Stray and within the Green Belt and the development of the site.</p> <p>It must also be noted that there is a distinctly different character between the Stray and the Retreat Site. The character of the Walmgate Stray is one of a managed pastureland with roaming animals and is widely used by local residents for walking, indeed, there are a number of footpaths and bridleways throughout the Stray. The landscape associated with the Retreat Site (i.e. that area enclosed within the surrounding red brick boundary walls) has a very different character, comprising sports fields and a very heavily managed landscape, with a team of gardeners maintaining the landscape. There is significant management of the landscape. There is already a distinctly different character between the areas and, as such, the application site is not an element that contributes to the setting of the City of York. This same relationship can be maintained through an appropriately designed scheme which reflects the heritage significance of the Site.</p> <p>The Retreat is a 24/7 operation which is integrated with its surrounding urban setting and is similar to other sites such as Terry's Chocolate Factory, which also includes historic buildings, but sits adjacent to the Green Belt and, indeed, overlooks the York Racecourse which is included within the Green Belt.</p> <p>The Retreat site can be redeveloped to provide a new hospital whilst the significance of the listed building and the conservation area can be preserved through sensitive design within the planning process by way of future listed building consents and planning permissions.</p>

Purpose	Assessment
	<p>The special character of the Walmgate Stray (which contributes to the setting and special character of the City of York) would not be affected by the redevelopment of the Retreat site given the distinctly different character between the two areas. The Site's historic character can be controlled within its strong defined boundaries without forming part of a future Green Belt.</p> <p>Overall conclusion:</p> <p>Development of the site would have no significant adverse effect on the significance of the setting and special character of the historic town.</p>
<p>5. Assist in urban regeneration by encouraging the recycling of derelict and other urban land</p>	<p>The site is partly brownfield and includes a number of listed buildings. If the current hospital facility ceases to function, the existing buildings are at risk of falling into disrepair. To protect the longevity of those buildings the wider site requires redevelopment to maintain and protect the built fabric and indeed to provide a new hospital facility. Development of the site including new housing will release funds for a new hospital to be built and the conversion of the existing buildings at the site so they can remain in active use.</p> <p>The overall development will therefore protect the long term future of existing jobs at the site, allow for improved mental health care to serve the local and wider community, allow for alternative use of the existing buildings, and create new housing to contribute to local housing need objectives for the City. Recycling existing land and buildings at The Retreat would contribute to the Council's objectives for housing and employment growth meeting urban regeneration and ultimately sustainable development objectives.</p> <p>The Site is surrounded by established urban development on three sides with housing and educational facilities along an accessible road therefore development would be compatible with surrounding uses. The Retreat itself is an established health facility. The Retreat's location is largely urban.</p> <p>Overall conclusion:</p> <p>Development of the site would contribute to its regeneration which can take place outside of draft Green Belt boundary.</p>

- 6.10 The assessment undertaken by JLL demonstrates that the Site exhibits attributes which do not fit with the primary purposes of the Green Belt, therefore should be considered for removal to assist in meeting future development needs. The release of the site from the draft Green Belt would not harm the Key Purposes.
- 6.11 Importantly, the proposed allocation would deliver sustainable development, given the site's location. The site is within an established local community with residential, primary and further education, and health care uses which present a sustainable location.
- 6.12 Overall conclusion from assessment against the five purposes of Green Belt and essential characteristics of openness and permanence:
- Development of the site has low potential to lead to unrestricted sprawl.
 - Development of the site would not result in the merging of settlements
 - The site does not perform an important role in safeguarding the countryside from encroachment.

- Development of the site would have little effect on the setting and special character of historic towns.
- Development would contribute to the urban regeneration of the site and surrounding area.

7 City of York Methodology

7.1 JLL has also assessed the site against the Methodology set out in its Preferred Sites Consultation July 2016 which the Council has used in considering sites to be put forward as allocations for housing and employment.

7.2 Based on the information available to The Retreat, JLL has set out its findings based on the Council's Methodology below.

7.3 Criteria 1: Protecting environmental assets (including Historic Character and Setting, Nature Conservation, Green Infrastructure assets and functional floodplain)

Criteria 2: Protecting existing openspace

Criteria 3: Avoiding areas of high flood risk (Greenfield sites in flood zone 3a)

Criteria 4a: Sustainable access to facilities and services

Criteria 4b: Sustainable access to transport.

Criteria 1

7.4 The site sits within an area of historic character, ie within The Retreat/Heslington Road Conservation Area and comprises listed buildings (grade II*) and a scheduled ancient monument. The site is at risk of becoming vacant if it is not redeveloped for a fit for purpose, modern hospital facility. The current building stock no longer lends itself to modern health care practice. Redevelopment of the site for a new housing will help fund the conversion of the existing historic buildings so they remain in active use. The historic buildings can therefore contribute to providing new housing within the City of York.

7.5 Additional new build housing is also required within the site to cross fund the development of a new hospital. The new housing can be designed sensitively to ensure the character of the site is maintained whilst contributing to the City's housing supply.

7.6 There are no known nature conservation designations within or neighbouring the site.

7.7 The site is surrounded by the Walmgate Stray on three sides but is clearly separated by strong physical and natural boundaries within The Retreat Site. Any development within The Retreat Site will not impact on the function or environmental quality of the Walmgate Stray.

7.8 The site sits within flood zone 1 therefore is suitable for housing development.

Criteria 2

7.9 Within the site are areas of open space which are used as a bowling green and cricket pitch. The bowling green is well used and the cricket pitch benefits from limited use and forms a small part of the site. An area of open space which once occupied tennis courts has not been used for several years and is not in a condition that can be used. The surface is mossed over in larger areas and tarmac has cracked and lifted in many areas too.

7.10 Redevelopment of the site in areas which include open space can be designed to ensure that open space is planned into the site to benefit users. It is understood on reviewing the City of York Playing Pitch Strategy 2013 Consultation Draft that there is a surplus of 20 cricket pitches across the City at present and a surplus of 6 pitches

once population growth is taken into account. Therefore any loss of this facility is not harmful to open space provision across York.

Criteria 3

7.11 The site sits within flood zone 1 as set out above therefore is at low risk of flooding. The site is therefore suitable for housing development as well as redevelopment for a new hospital facility.

Criteria 4a

7.12 The site sits within an existing hospital facility. Whilst its function is to care for specialist mental illnesses it still provides an essential facility to the local community.

7.13 The site sits opposite the St Lawrence’s CE Voluntary Aided Primary School which is 170m within walking distance of the site; and abuts the University of York.

7.14 In summary the following facilities are located closest to the site:

Facility Type	Facility Name	Distance from The Retreat
Primary School:	St Lawrence’s CE Voluntary Aided Primary School	170m
Secondary School	Archbishop Holgate School	1,600m
Higher Education	The Higher Education Academy	1,300m
Further Education	University of York	480m
Health Centre/GP Surgery	Park View Surgery	640m
Convenience store	One Stop, Heslington Road	480m
	The Co-operative Food - Hull Road	800m
Children’s play areas	Hull Road Park Play Area	1,120m
Sports Centres	York Sports Village	3,900m
Leisure facilities	The Barbican Centre (theatre & venue)	800m
Restaurants/bars	Range in City Centre	900m
Shops general	York City Centre (Coppergate)	960m
	Foss Islands Retail Park	900m

7.15 The Council’s Open Space Study shows that on a city-wide basis, there is an in-principle deficit of Parks & Gardens, Childrens’ Sites, Teenagers’ Sites, Outdoor Sports areas and Allotments and a surplus of Natural/Semi-Natural areas and Amenity spaces. However, the site is located adjacent to many existing facilities including the Outdoor Sports facilities at the University of York which are open to the public on Heslington Lane to the south

and south east of the site; natural areas provided by the Walmgate Stray immediately to the south of the site; and the Low Moor Allotments to the south west of the site.

Criteria 4b

- 7.16 The site is located on Heslington Road and Thief Lane, with access to University Road. It is easily accessible by foot on established public footpaths to local facilities.
- 7.17 A number of cycle routes run close to the site including a local route running along Heslington Road and along the minor road bisecting the site. In addition National Cycle Route 66, which runs from central Manchester to Spurn Head via Bradford, Leeds, York, Beverley, and Kingston upon Hull, passes through Walmgate Stray to the south of the site.
- 7.18 A bus stop sits immediately outside the site at Heslington Road. The number 44 and 66 services provide frequent services between the site, the University and the city centre. The bus service is considered to be excellent. The “Cityzap” service links Leeds and York on a flexible route to avoid traffic delays where possible, the closest Cityzap stop is on Stonebow, 1,600m from the site. The train station can be accessed by the 44 and 66 routes as detailed above.
- 7.19 The site is a short distance (3.7km) from the A64 ring-road to the south which provides good connections to the national road network including the A19 and the A59. The A1(M) can be accessed at Bramham Crossroads 25km to the south-west.

Summary

- 7.20 The site is located in a mixed use area with residential properties and educational facilities located on three sides of the site. The site is part brownfield. The existing buildings provided an opportunity for conversion which would secure active use of the listed buildings on the site thus protecting them in the long term.
- 7.21 Part of the land is currently used for grazing but has the opportunity to be redeveloped to provide the long term use of The Retreat Hospital. The site sits within a Flood Zone 1 area which is suitable for residential development.
- 7.22 There are no known protected nature conservation designations at the site. A variety of open spaces are identified within the site some of which are no longer fit for purpose, eg the tennis courts; whilst others are underused eg the cricket pitch.
- 7.23 The site benefits from most local amenities within close proximity, many by foot, including local convenience stores and the local primary school. Local bus services which connect the site to the City Centre and the University are located immediately outside the site’s entrance.
- 7.24 Due to the surrounding local amenities and excellent provision of public transport access, the site is considered to be a highly sustainable location. Local services are easily accessed by bus, foot and bicycle and the site forms part of a wider urban area.

8 JLL Commentary and Summary

- 8.1 JLL summarises the benefits of the proposed allocation for The Retreat site setting out why the Council should allocate the site as a Mixed Use Site for Health Care (Use Classes C2 and D1) and Housing (Use Class C3) delivering circa 250 homes.
- 8.2 The site is 16 ha (40 acres). It provides an essential, important health facility specialising in mental health illnesses. The existing buildings are no longer fit for purpose. The Retreat has explored options to provide a modern fit for purpose facility. The only credible, viable option is to build a new hospital facility to future proof this important service. The site is sufficiently large enough to accommodate a new facility and avoids the need to purchase new land elsewhere which will add to the costs of delivery. The Retreat therefore requires to relocate to a new facility within the existing site. In order to deliver the site, The Retreat requires cross funding through creating higher values elsewhere within the site.
- 8.3 To deliver a new hospital facility it is proposed to allocate The Retreat Site for hospital use and housing which will allow redevelopment to cross fund the new facility.
- 8.4 The proposed allocation will protect circa 400 jobs and deliver circa 250 new homes comprising a mix of conversion and new build properties. The allocation will also allow the listed buildings to remain in active use.
- 8.5 The site is largely contained and does not spill into the open countryside to the south such that it's level of enclosure, strong boundaries and the topography of the site do not serve green belt purposes.
- 8.6 The site sits within walking and cycling distance of local amenities; it has immediate bus stops fronting the site with frequent services between the city centre and the University. Whilst no traffic assessments have taken place at this stage, the site is located on an established network already used by The Retreat hospital. The site sits in a mixed use area with compatible proposed uses. Agricultural land within the site is used for grazing only. There are no nature conservation designations within or close to the site and there are no concerns regarding flood risks. The site can be developed sensitively to complement the surrounding area and character of the site.
- 8.7 JLL has set out that the site provides a sustainable location which can deliver a sustainable development meeting NPPF objectives.
- 8.8 Most importantly, the proposed allocation will allow this important residential institution to continue to operate within York whilst retaining jobs, retaining and preserving the listed buildings, and creating much needed new housing.

Appendix 1
Site Location Plan

Site Ownership Plan



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From: Grundy, Simon [Simon.Grundy@carterjonas.co.uk]
Sent: 05 April 2018 10:09
To: localplan@york.gov.uk
Cc: Brear, Josh; Sarah Griffiths (Gallagher Estates)
Subject: Local Plan – representations for Gallagher Estates - email 1 of 2 [CJ-WORKSITE.FID414879]
Attachments: Appendix 1.pdf; Appendix 2.pdf; Appendix 3.pdf; Appendix 4.pdf; Appendix 5.pdf; Appendix 6.pdf

Further to our representations yesterday, for completeness please see attached for the appendices to Appendix 2, as previously submitted in October 2017 for the Regulation 18 consultation.

Finally, please call me on 07917 773671 if you wish to discuss or require any further information.

With best wishes

Simon Grundy
Partner

For and on behalf of Carter Jonas LLP

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Carter Jonas





Please consider the environment - do you really need to print this email?

From: Grundy, Simon

Sent: 04 April 2018 15:01

To: 'localplan@york.gov.uk' <localplan@york.gov.uk>

Cc: Brear, Joshua (Josh.Brear@carterjonas.co.uk) <Josh.Brear@carterjonas.co.uk>; 'Sarah Griffiths (Gallagher Estates)' <Sarah.Griffiths@gallagherestates.com>

Subject: City of York Local Plan Publication Draft consultation – representations for Gallagher Estates [CJ-WORKSITE.FID414879]

Dear Sirs,

Further to the above please see attached for completed form and representations statement plus appendices on behalf of Gallagher Estates.

We look forward to acknowledgement of receipt.

With best wishes

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Representations to City of York Local Plan Preferred Sites Consultation

JJ Gallagher Ltd

September 2016

Turley

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Appendix 1: Land at North Field, York – Site Location Plan

Appendix 2: Land at North Field, York – Concept Framework Plan

Andrew Bickerdike
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Client
JJ Gallagher Ltd

Our reference
GALY3010

September 2016

1. Introduction

- 1.1 This Report is prepared by Turley Planning on behalf of our client JJ Gallagher Ltd. It provides representations to City of York Local Plan Preferred Sites Consultation (July 2016). It comprises one of three documents submitted as part of this representation, the others being 'Land at North Field, York: Vision Framework' (hereafter referred to as the Vision Framework) produced jointly by Turley Planning and Turley Design and a review of the objectively assessed need for housing in York produced by Turley Economics.
- 1.2 In summary, the Report summarises the key concerns which we have to the Preferred Sites document on several grounds, notably it does not provide sufficient targets to plan for growth, the spatial strategy of the Local Plan is flawed and the evidence to justify the Plan and Preferred Sites is either flawed or non-existent. The following section also provides an overview of our client's interest with the Land at North Field and seeks to promote its allocation as a suitable and sustainable site which could accommodate significant housing growth in the emerging Local Plan.

Land at North Field, York

- 1.3 The land at North Field, York is located on the western side of the City adjacent to the suburbs of Acomb. It is located approximately 4km to the west of York City Centre and 2km to the north west of Acomb District Centre.

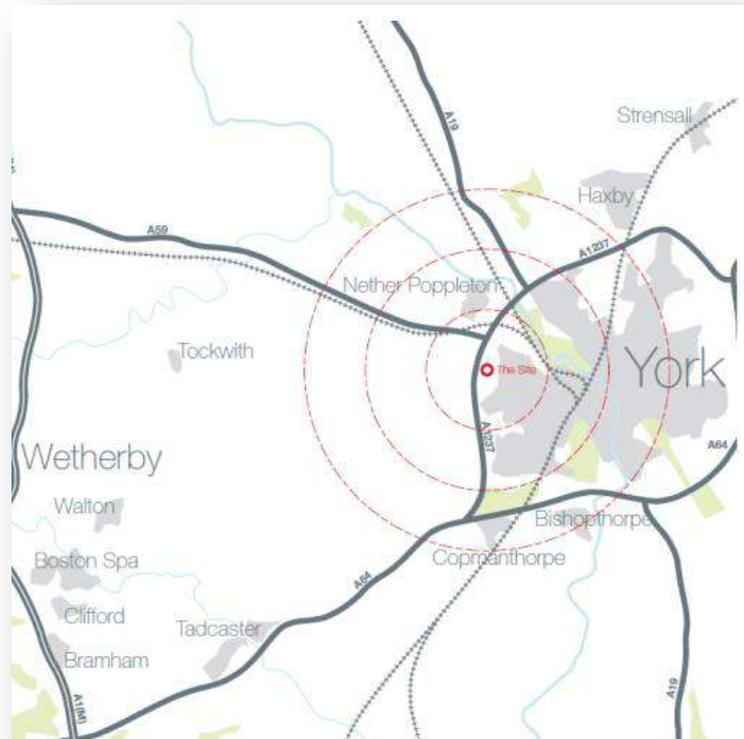


Figure 1: Land at North Field, York – site context

- 1.4 The site extends to approximately 48 ha in total and comprises agricultural land. It is well related to the local highway network, providing an extensive frontage to the A1237 and is bound by existing residential properties located off Sherwood Grove. The village of Knapton is located to the south west of the site.
- 1.5 The site forms an open area of land situated between the western urban edge of York, the A1237 and the village of Knapton. There are a number of 'urbanising influences' within the wider expanse of open land, including recently constructed roadside service facilities at the junction of the A1237 and A59 to the north of the site and Oakwood Business Park and a caravan storage area on the opposite side of the A1237.
- 1.6 The site provides the opportunity to deliver a high quality, residential development utilising an area of land which is free from onsite constraints, which is of limited landscape value and which can be developed without significant harm to the Green Belt around York and its function.
- 1.7 Importantly, and in contrast to much of the open land surrounding York, the site does not perform a critical role in protecting and enhancing the significant historic and environmental character of York. This is verified by the absence of views of the York Minster from this side of the City. This is a particularly important consideration given the provisions of saved Policy YO1 of the Yorkshire and Humber Regional Spatial Strategy (RSS) which confirms that the main purpose of the of York Green Belt is to *"...protect and enhance the nationally significant historic and environmental character of York, including its historic setting, views of the Minster and important open areas."*
- 1.8 The Vision Framework which accompanies this representation presents a full development appraisal of the site, including a review of key constraints and opportunities and overarching masterplan. This has been informed by a full consideration of the site's technical constraints, including its Green Belt contribution and function, its landscape sensitivity, its accessibility by sustainable modes of transport and proximity to local services and access and highway constraints. This demonstrates that:
 - The site occupies a highly sustainable location within close proximity to the existing facilities and services of Acomb District Centre;
 - The development of the site as proposed provides opportunities to improve local community facilities and will deliver significant economic, social and environmental benefits;
 - The development will deliver new and much needed affordable housing;
 - The development provides the opportunity to deliver a new country parkland area for the local communities of Acomb and Knapton; and
 - The development will not result in significant harm to the Green Belt and its key purposes.
- 1.9 Overall, the site represents a key sustainable development opportunity capable of: making a significant contribution to meeting the City's development needs; utilising a

site which is generally unconstrained; and through which environmental impacts will be limited to acceptable levels and are capable of mitigation.

1.10 It is JJ Gallagher's view that the site should be allocated as a Strategic Site for the development of up to 1,000 residential units within the emerging York Local Plan.

1.11 Section 6 of this report considers the site in more detail. This should be read alongside the accompanying Vision Framework.

Report overview

1.12 This representation, the accompanying Vision Framework and review of the objectively assessed need for housing in York provides JJ Gallagher Ltd.'s formal response to three of the documents currently being consulted on by the City of York Council, namely the Preferred Sites Consultation paper (July 2016), the associated Sustainability Appraisal (July 2016) and Strategic Housing Market Assessment and Addendum (SHMA, July 2016). The representation demonstrates the following:

- That the Council has failed to define the full objectively assessed need for housing and the strategy will therefore not meet York's housing requirements;
- The Local Plan will fail to meet the Full Objectively Assessment Need (FOAN) for housing over the Plan period based on the strategy set out;
- That the identified preferred sites do not represent the most sustainable plots of land to deliver the required level of housing growth over the Plan period having regard to a range of matters, including accessibility, viability and deliverability, and the impact on the Green Belt and the historic environment;
- That there are significant shortcomings in the evidence base which underpins the selection of the preferred sites;
- That reasonable alternatives have not been properly assessed through the Sustainability Appraisal;
- That, in overall terms, the preferred sites do not accord with national planning policy contained within the National Planning Policy Framework (the Framework) and the Planning Practice Guidance (PPG); and
- That land at North Field would represent a sustainable and deliverable Strategic Site for housing development and should be allocated as such in the Local Plan.

1.13 The remainder of this report is structured as follows:

- Section 2 sets out the key national policy context in which the Local Plan is being progressed and to which it is required to comply;
- Section 3 provides comments on the SHMA and considers the housing requirement which the Local Plan should be aiming to deliver;

- Section 4 provides comments on the overall approach taken to the selection of preferred sites, including the methodology and selection criteria;
- Section 5 provides a critique of a number of key housing sites which are proposed to deliver the housing requirement of the Local Plan;
- Section 6 provides a summary appraisal of our client's proposed Strategic Site at North Field, York; and
- Section 7 provides a summary and concluding comments.

2. Policy context

2.1 The Local Plan is being progressed in the context of the National Planning Policy Framework and the Planning Practice Guidance. It will ultimately be subject to a Public Examination into its soundness. The 'tests of soundness' are set out in the Framework. These are as follows:

- **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.¹

2.2 As noted above, in order for the Plan to be found sound at examination, it will need to be consistent with national policy. The comments provided within this representations report and provided on this basis. Key aspects of national planning policy which are relevant to this representation are presented below.

2.3 In this regard, insofar as its policies are relevant to this representation, we highlight that the NPPF requires local planning authorities (LPA) to:

- “...**boost significantly the supply of housing**...” (paragraph 47);
- “...**ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing**...” (paragraph 47);
- “...**identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand**...” (paragraph 50);
- Ensure that their Local Plan incorporates “...**sufficient flexibility to adapt to rapid change**...” (paragraph 14);
- “...**plan positively to support local development, shaping and directing development in their area**...” (paragraph 16). Indeed, the need for a Local Plan to be “positively prepared” is one of the four tests of soundness;
- Ensure “...**that the planning system does everything it can to support sustainable economic growth**...” (paragraph 19);

¹ National Planning Policy Framework (DCLG 2012) paragraph 182

- Ensure that Local Plans are “...**aspirational but realistic**...” (paragraph 154);
- Ensure that their Local Plan not only meets needs but also responds “...**positively to wider opportunities for growth**...” (paragraph 17);
- Conserve and enhance the natural environment (paragraph 109);
- Ensure that their Local Plan ‘...*is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area*’ (paragraph 158); and
- Ensure that their Local Plan is deliverable and that the ‘...*sites and the scale of development identified in the Plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.*’ (paragraph 173).

2.4 The Framework highlights the importance of protecting Green Belt land from inappropriate development. However, it confirms that Green Belt boundaries can be altered in “...*exceptional circumstances*...” (paragraph 83) via the plan-making process. Such circumstances include an inability to meet development needs, as is currently the case in York. When doing so, LPAs should, *inter alia*:

- Identify areas of ‘safeguarded land’ between the urban area and the Green Belt which are capable of meeting longer-term development needs;
- Satisfy themselves that Green Belt boundaries will not need to be altered at the end of the plan period; and
- Define new Green Belt boundaries clearly using physical features that are readily recognisable and likely to be permanent.

2.3 Paragraph 80 of the Framework confirms the five purposes of the Green Belt:

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

2.5 It is important to note the Local Plan will define Green Belt boundaries around York for the first time. The Plan will therefore need to consider which land should be designated as Green Belt, having regard to the above purposes, rather than which land should be removed from an existing defined Green Belt in order to meet the City’s development requirements.

2.6 In respect of York, saved Policy Y1 of the revoked Yorkshire and Humber RSS is clear that the main purpose of the of York Green Belt is to:

“...protect and enhance the nationally significant historic and environmental character of York, including its historic setting, views of the Minster and important open areas.”²

2.7 Whilst this reflects the general role of the open land surrounding the urban area of the City, the full extent to which this land performs this role and the extent to which it fulfils the other key purposes of the Green Belt has never been subject to any form of comprehensive Green Belt appraisal.

2.8 For a Local Plan to be found sound it must be justified; namely it must be ‘...*the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence*’³. In this context ‘most appropriate’ has a broad meaning but includes being the most appropriate when considered, against other things, national policy.

2.9 The requirement to consider ‘reasonable alternatives’ extends to the Sustainability Appraisal process which is required to be carried out throughout the development of the Local Plan in accordance with the Section 19 of the Planning and Compulsory Purchase Act 2004. The PPG provides further guidance on this matter and states that ‘*The sustainability appraisal needs to compare all reasonable alternatives including the preferred approach and assess these against the baseline environmental, economic and social characteristics of the area and the likely situation if the Local Plan were not to be adopted.*’⁴

² City of York Local Plan Preferred Sites Consultation (July 2016) Section 2.5

³ National Planning Policy Framework (DCLG, March 2012) Paragraph 182

⁴ Planning Practice Guidance (CLG) Paragraph: 018 Reference ID: 11-018-20140306

3. General comments on approach to site selection

Summary of methodology

3.1 The preferred sites have been selected based on the criteria summarised in Section 3 of the Preferred Sites paper. This selection criteria is itself informed by the RSS as set out in the aborted Local Plan Publication Draft (2014). Policy SS1 sets out the spatial principles (which define the spatial strategy) as follows:

- Conserving and enhancing York's historic and natural environment. This includes the city's character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function;
- Ensuring accessibility to sustainable modes of transport and a range of services;
- Preventing unacceptable levels of congestion, pollution and/or air quality;
- Ensuring flood risk is appropriately managed; and
- Where viable and deliverable, the re-use of previously developed land will be phased first.

3.2 From this, the following site selection criteria were developed to inform the allocation of sites through the aborted Local Plan Publication Draft:

- Criteria 1 – Protection of environmental assets (including Historic Character and setting, Nature Conservation, Green Infrastructure assets and functional floodplain)
- Criteria 2 – protecting existing openspace
- Criteria 3 – Avoiding areas of high flood risk (greenfield sites located in flood zone 3a)
- Criteria 4a – Sustainable access to facilities and services
- Criteria 4b – Sustainable access to transport

3.3 Paragraph 3.1 of the Preferred Sites paper confirms that the assessment of individual sites against above the criteria is set out in the 'Site Selection Report (2014).' The relevant material relating to the appraisal of sites against this criteria is also contained in the following:

- City of York Local Plan Further Sites Consultation Appendix 2: Residential Site Assessment Proformas (June 2014)

- City of York Local Plan: Site Selection Paper Addendum (September 2014)

3.4 Whilst the aborted Local Plan Publication was never put out to consultation, reliance is still being placed on the 2014 Stage 1 assessment for the purposes of selecting preferred sites within the current consultation papers. It is clear that the vast majority of sites rejected as part of the preparation of the aborted Local Plan Publications have not been reappraised as part of the preparation of the Preferred Sites report.

3.5 As part of the preparation of the Preferred Sites paper, selected sites have been subject to a further appraisal as set out in pages 16 to 19 of the paper (Stage 2 appraisal) relating to the following considerations:

- Updated sustainability criteria
- Updated technical officer comments
- Transport
- Education
- Open space
- Agricultural land classification
- Sequential flood risk

3.6 The Preferred Site paper confirms that *'...work is ongoing to look at parcels of land around York to understand their significance and contribution against Green Belt purposes, as set out in NPPF.'*⁵

3.7 All of the sites previously proposed for allocation in the aborted Local Plan Publication have been appraised against the Stage 2 criteria. This has resulted in a number of sites being removed from the Plan following the reappraisal. A series of new sites have been identified, the majority of which were previously rejected through the Stage 1 appraisal which informed the aborted Local Plan Publication. Apart from sites previously proposed for allocation in the aborted Local Plan, only new sites which are now shown as preferred sites in the Preferred Sites consultation report have been subject to reappraisal based on the updated criteria set out above. An updated appraisal of each site is presented in section 4.2 of the consultation report.

Comments on approach to site selection

3.8 As confirmed in section 2 of this representation report, in order for the Local Plan to be found to be sound it is important that proper consideration is given to reasonable alternative options. The Plan must also be informed by a robust evidence base.

3.9 Following a comprehensive review of the Preferred Sites paper and a number of background evidence reports, JJ Gallagher considers there to be a number of significant

⁵ City of York Local Plan Preferred Sites Consultation (July 2016) Section 3.2

deficiencies in the approach taken by the Council in identifying Preferred Sites. These are considered in turn below.

Spatial Strategy

- 3.10 Whilst the Preferred Sites paper does not seek views on the spatial strategy (as set out in the aborted Local Plan Publication) it notes that this has formed the basis of the site selection criteria. Since there was no opportunity to comment on the spatial strategy as part of the Local Plan Publication (i.e. the Plan did not reach the consultation stage), it is important that the Council accepts comments on this through the current consultation given its influence on the sites selected.
- 3.11 A key aspect of any sound spatial strategy is a consideration of where within the City, in broad terms, development should be located in order to achieve the most sustainable outcome. This requires not simply a consideration of individual sites and their sustainability based on physical, site specific constraints but an assessment of the City in broader spatial terms and an understanding of the spatial issues and opportunities it presents.
- 3.12 This would include, for example how the City relates to Local Authority areas surrounding it or which areas of the City are in greatest need of regeneration. This assessment and understanding is a precursor to an appraisal of individual sites and ensures the criteria for assessing individual sites is based on robust sustainability principles.
- 3.13 The Framework confirms that the overriding objective of the planning system is to deliver sustainable development to which there are three dimensions:
- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
 - **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
 - **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.⁶
- 3.14 Paragraph 8 of the Framework states that:

⁶ National Planning Policy Framework (DCLG 2012) Paragraph 7

‘These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.’

- 3.15 The spatial strategy for York should reflect the above and be based around the achievement of the optimum sustainable outcome. This requires all dimensions of sustainability to be pursued and given equal weighting in the selection of sites to deliver the spatial strategy.
- 3.16 It is very clear that the spatial strategy for York is heavily weighted towards satisfying the environmental dimension of sustainability rather than embracing the concept of sustainability in its broader sense. This is evidenced by reference to the spatial principles which are site specific and designed to guide development to locations where environmental impacts will be minimised. The strategy has no regard to the wider dimensions of sustainability (e.g. which areas are in greatest need of new housing). The spatial strategy also has no regard to how York relates to and connects with local authority areas beyond its boundary. This relationship is manifest through patterns of out-commuting for example which may indicate that focusing development in one area of the City over another may represent a more sustainable approach to growth.
- 3.17 The spatial principles as set out in the aborted Local Plan Publication are important considerations in the site selection process. They do however represent a narrow definition of sustainability when considered on their own. Reliance on these principles alone would result in a distribution of sites which is not informed by a consideration of other aspects key to sustainability and so cannot be said to represent the most sustainable approach to growth.
- 3.18 It is the role of the site selection process to balance all sustainability considerations in order to identify the most appropriate sites to deliver a spatial strategy informed by a full range of sustainability considerations (economic, social and environmental). However, the sustainability criteria applied in this case is unbalanced and does not allow key dimensions of sustainability to be given any weighting in the selection process. This represents a fundamental weakness in the approach to the selection of sites which is, as a result, unsound.
- 3.19 The spatial strategy, and site selection criteria which flows from this, needs to be reconsidered by the Council. A more balanced spatial strategy, which has greater regard to the social and economic dimensions of sustainability, needs to be identified based on a full consideration of the sustainability challenges, issues and opportunities which the City presents.

Stage 2 Appraisal

- 3.20 The decision to undertake a Stage 2 appraisal reflects the progression of the evidence base to inform the Local Plan and additional information which can be drawn upon to assess the suitability of potential development sites. Additional baseline information includes:

- Information on congestion of radial transport routes;
- Information on location of key services (including GP surgeries, convenience shops, schools etc) and updated information on bus services;
- Capacity of local schools;
- Open space deficiencies;
- Agricultural land classification; and
- Sequential flood risk.

3.21 The Stage 2 appraisal is not presented as an appraisal which is intended only to be undertaken upon passing the Stage 1 appraisal but rather is an update to the Stage 1 appraisal based on new evidence being available. It supplements and should be read alongside the Stage 1 appraisal in this regard.

3.22 As noted above, it is apparent that only sites proposed for allocation through the aborted Local Plan Publication, and a selected number of additional sites which are now identified as preferred sites within the Preferred Sites paper, have been subject to this Stage 2 appraisal.

3.23 As the Stage 2 appraisal is presented as an update to the Stage 1 appraisal, drawing on revised assessment criteria and new evidence, all potential development sites, including those previously considered and discounted by the Council in preparing the aborted Local Plan Publication should be subject to the Stage 2 appraisal. It is highly likely that some such sites would prove to represent sustainable development options based on the revised assessment criteria. Indeed, the fact that a number of previously rejected sites are now identified as Preferred Sites demonstrates this point.

3.24 This shortcoming is highlighted by the fact that the Stage 2 assessment now purports to include Framework compliant sequential flood risk appraisal. This requires inappropriate development in areas at risk of flooding to be avoided by directing development away from areas at highest risk. This represents a sequential approach to the identification of sites for development, with low risk sites being preferred to other sites. However, unless all previously considered sites are assessed as part of this appraisal, the sequential test cannot be satisfied. Indeed sites located in Flood Zone 2 are still identified as preferred sites (e.g. Site ST15) with a number of sites in Flood Zone 1 having been discounted at previous stages, contrary to the policy requirements of the Framework.

3.25 Critically, the decision to discount such sites was made before the sequential assessment was considered by the Council (i.e. when a site's flood risk status was not given proper and correct weight as an indicator of sustainability).

3.26 The failure to assess all previously considered sites against the updated criteria and baseline information identified by the Council as part of the Stage 2 appraisal means the approach taken is fundamentally unsound. Put simply, it cannot be concluded with any degree of credibility that it represents the most appropriate approach when considered against reasonable alternatives. It fails the 'justified' test of soundness therefore.

Green Belt appraisal

- 3.27 The Preferred Sites paper confirms that work is ongoing to look at the parcels of land around York to understand their significance and contribution against Green Belt purposes as set out in the Framework.
- 3.28 This Green Belt appraisal is a significant and important part of the evidence base to inform the Local Plan, particularly so given the absence of any baseline position in terms of the current definition of the York Green Belt.
- 3.29 A comprehensive review of all open land surrounding the urban area is critical to understanding which areas perform a critical Green Belt function and which should therefore be protected from development. Green Belt contribution will be an important part of the site selection criteria.
- 3.30 The only work published by the Council to date is contained within the following studies:
- Approach to the Green Belt Appraisal (2003)
 - Historic Character and Setting Technical Paper (2011)
 - Historic Character and Setting Technical Paper (2013)
- 3.31 The findings of these studies are contained within the *City of York Local Plan Further Sites Consultation Appendix 1: Residential and Employment Site Selection Methodology*. This seeks to identify areas of land around the City which are important to York's historic character and setting and as basis for 'sieving out' sites which do not satisfy Criteria 1 of the Stage 1 site selection criteria (i.e. protection of environmental assets).
- 3.32 Areas which are deemed to be important to York's historic character and setting are placed into one of seven categories as follows:
- Green Wedge
 - Extension of Green Wedge
 - Strays
 - Areas retaining rural setting
 - Areas preventing coalescence
 - River corridors
 - Village setting
- 3.33 Whilst these categories overlap, to some degree, with the five purposes of the Green Belt, it is clear that no comprehensive Green Belt appraisal has been undertaken by the Council and indeed the contribution which individual sites make to the Green Belt around the City of York does not form of the assessment criteria in selecting sites. This is a key weakness in the approach taken to site selection.

3.34 Notwithstanding this, in respect of a number of selected sites, it is evident that Green Belt impact has been taken into account by the Council. For example, in respect of Site reference ST7 (Land east of Metcalfe Lane) the appraisal at section 4.2 of the consultation paper states that:

‘The eastern edge of the site has also been pulled further away from the A64 in order to protect key views of the Minster. It is considered that this fits in well with the existing urban form of York consisting of the main urban area of York surrounded by smaller villages. It is therefore consistent with the strategic approach taken to York’s Green Belt particularly conserving the historic character and setting of the City’

3.35 The appraisal also refers to *‘technical work relating to the historic character and setting, Green Belt purposes’* in explaining a revised boundary for this site.

3.36 This raises three issues. Firstly the Council has considered the Green Belt implications of proposed development on an ad hoc basis, subjecting preferred sites to a form of Green Belt appraisal (the parameters of which are unclear) but not subjecting sites previously rejected to the same level of appraisal which, in some cases, may have shown a lesser level of Green Belt harm. This contravenes the requirements of the Framework requiring the Council to demonstrate that the preferred strategy represents the most appropriate approach when considered against reasonable alternatives. In the absence of a proper Green Belt appraisal of all sites across the City, this requirement cannot be satisfied. The approach is therefore unsound.

3.37 Secondly, the technical work that has been undertaken by the Council to consider the Green Belt impact arising from the development of individual sites (as referred to above) has not been published. The conclusions drawn around Green Belt impact are wholly unsubstantiated and are not based on robust and transparent evidence. Again, the approach is unsound as a result.

3.38 Thirdly, the Preferred Sites paper makes a number of generalisations about the role of the Green Belt around York to justify the approach set out. This includes that delivering new, standalone settlements reduces Green Belt impact on the basis that this is consistent with the urban form of York and ensures that the Green Belt around the City continues to fulfil the purpose of preserving *‘...the setting and special character...’*⁷ of the City. It is on this basis that a strategy of delivering the City’s development needs through a series of standalone settlements, rather than extensions to the existing urban area, is preferred by the Council.

3.39 Whilst not unreasonable to conclude that some of the Green Belt around the City performs this role, it would be incorrect to conclude that this is universal and that extensions to the urban area, in selected locations, would automatically result in harm to the Green Belt when considered against this purpose. This particularly applies to the west of the City where the Green Belt does not perform this role given the predominance of post-war development on this side of the City which is located between the western edge of the City (and particularly the settlement of Acomb) and the historic core of York and in the absence of clear views of the Minster from this side of the City.

⁷ National Planning Policy Framework (DCLG 2012) paragraph 80

- 3.40 These are key weaknesses in the approach to the identification of preferred sites and represent a fundamental misunderstanding of the role of the York Green Belt and misapplication of national planning policy. The evidence base to underpin the assertion that the selected sites represent the most appropriate sites for Green Belt release when considered against the potential alternatives is non-existent.
- 3.41 It is absolutely critical that the Council undertakes a comprehensive Green Belt review and appraises all potential development sites across the City against this review and on an equal basis. This should identify the critical role that each of area Green Belt plays and a consideration of the impact on the role and purpose of the Green Belt arising from the development of all potential sites considered throughout the process of developing the Local Plan. This includes sites that were 'sieved out' prior to the aborted Local Plan Publication in 2014. Until such an appraisal is completed and issued for consultation, the approach taken is unsound, cannot be justified and is in conflict with national planning policy.

Deliverability and viability

- 3.42 As a general comment, it is noted that the Council has published no evidence which considers the viability of individual development sites. Whilst the housing market in York is generally strong, a number of large sites proposed for development will require very significant infrastructure works in order to bring them forward for development.
- 3.43 This will include road and utilities infrastructure as well as social and community infrastructure (education, local centre etc). This reflects that a number of new standalone settlements are proposed to deliver the City's housing requirements.
- 3.44 For example, the planning principles for site reference ST14 (Land West of Wigginton Road) provided at section 4.2 of the Preferred Sites paper include the creation of a new Local Centre incorporating appropriate shops, services and community facilities to meet the needs of local residents and the delivery of high quality frequent and accessible public transport services throughout the development site.
- 3.45 These represent significant infrastructure investments. In the case of ST14, the residential yield has reduced from 2,800 units (including 2,591 in the Plan period) as set out in the aborted Local Plan Publication to 1,348 units (including 845 in the Plan period) as set out in the Preferred Sites paper.
- 3.46 The provision of the identified infrastructure is critical to ensuring the site can be sustainably developed. This needs to be delivered early in the development process. It is highly questionable whether the provision of just 845 units during the Plan period will provide sufficient funding for the necessary infrastructure to be provided. The delivery of this is dependent on a critical mass of residential development coming forward to fund the works.
- 3.47 The same point applies to site reference ST15 which is now projected to deliver 1,610 units over the Plan period and which now has some very significant road infrastructure works to fund in order to deliver a suitable access strategy into the site, particularly as a result of it no longer providing a frontage to the A64 having been reduced substantially in size. This is in the context of the residential yield for this site over the Plan period being reduced from 2,380 to its present projected figure of 1,610.

- 3.48 Even based on the higher yields previously assumed for these sites, the lack of evidence to demonstrate that they can be viably delivered during the Plan period represents a significant deficiency in the approach to the selection of sites. This concern is only reinforced by the reduced residential yields identified. This principle applies equally to other similar standalone residential sites where the yield over the Plan period has been reduced significantly compared to that set out in the aborted Local Plan Publication.
- 3.49 The failure to properly consider and present evidence relating to the viability of these proposals conflicts with the requirements of paragraph 173 of the Framework. The approach is unsound as a result.

Other evidence base

- 3.50 In addition to the issues raised above, the Council has to date failed to present any robust evidence relating to the landscape impact of the proposed development sites. Whilst it is noted that a Heritage Impact Assessment was undertaken as part of the Sustainability Appraisal of the aborted Local Plan Publication, this considers the historic context to individual sites only based on six key characteristics which are considered to afford York its unique character and against which sites are assessed. Whilst one of these key characteristics is 'landscape and setting' the appraisal presents a 'tick box' assessment of the potential sensitivity of individual sites against this principle rather than a comprehensive landscape appraisal of the City.
- 3.51 Given the extent of currently open land needed to deliver the City's development requirements over the Plan period, the landscape's capacity for change in general terms, not simply in terms of its role as part of the setting of York, needs to be given proper consideration.
- 3.52 In this case, the Council's strategy of concentrating development within a series of standalone new settlements represents a misguided approach to its assessment of the landscape impacts of development across the City. This is very evidently focused on protecting the role of the open land surrounding the City as providing a setting to York, rather than reflecting its proper and considered landscape value and sensitivity beyond this single and narrow measure.
- 3.53 This represents a further weakness in the evidential basis for the selected preferred sites further supporting the conclusion that the approach taken is not sound. This should be addressed through the production of a comprehensive landscape appraisal of the City which considers the role and contribution of each area of open land beyond its potential function as providing a setting to the historic settlement.

4. Critique of Strategic Sites

4.1 The Council has acknowledged that it needs to review Green Belt boundaries and release sites from outside the built up area of York to enable sufficient housing growth over the Local Plan period. The Preferred Sites document therefore identifies a number of strategic 'green villages' in the Green Belt which could accommodate a significant proportion of these new dwellings, notably:

- ST7 – Land to the East of Metcalfe Lane
- ST8 – Land to the North of Monks Cross
- ST14 – Land to the West of Wigginton Road
- ST15 – Land to the West of Elvington Lane

Green Belt Review

4.2 In summary, we consider that there has been a lack of clear justification for promoting these large, standalone 'green villages' during the Plan process. The Council's most recent Green Belt appraisal was undertaken in 2003 and since then there has been no updated comprehensive review of the Green Belt. Without this robust evidence base and assessment work, the fundamental aim of protecting the Green Belt cannot be guaranteed. The subsequent allocation of these 'green villages', including several beyond the inner ring road, therefore appears disjointed and illogical. There is also no clear strategic evidence which demonstrates that these are the most appropriate locations in the Green Belt, nor that they can viably deliver these sites.

4.3 It is acknowledged that the Framework states that the supply of new homes can sometimes be best achieved through planning for larger scale development, including new settlements or extensions to existing towns, though Council's need to '*consider whether such opportunities provide the best way of achieving sustainable development*' (Paragraph 52). However, we have significant concerns that the development of the strategic sites in the Preferred Sites document are unsustainable and do not accord with the Framework on a number of grounds, as outlined in the following sections.

4.4 In particular, the emphasis on promoting these large scale 'green villages' indicates that there has been a fundamental misunderstanding of the purpose of Green Belt. The Council has identified that the new 'garden villages' will fit well with the existing urban form of York as it is already surrounded by smaller, freestanding villages and that this will help conserve the historic character and setting of the City. It is therefore evident that the Council has prioritised the preservation of the setting and special character of York. The Framework does not place any particular weight to each of the five purposes of Green Belt, nor does it specify which of the purposes are more valuable. We believe that the Council is effectively prioritising one particular Green Belt function over the other key purposes of the Green Belt which are outlined in the Framework (Paragraph 80), namely to:

- check the unrestricted sprawl of large built-up areas;

- prevent neighbouring towns merging into one another;
- assist in safeguarding the countryside from encroachment; and
- assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

4.5 The promotion of these piecemeal ‘garden villages’ will clearly have an adverse impact and be contrary to the purposes of protecting the Green Belt from unsuitable development.

Green Belt Purposes

4.6 In summary, we believe that the potential development of these strategic sites clearly conflicts with three of the five key purposes of Green Belt land, namely to: check the unrestricted sprawl of large built-up areas; assist in safeguarding the countryside from encroachment; and preserve the setting and special character of historic towns. In particular, the two largest sites, ST14 and ST15, are isolated from the urban area of York and their allocation for housing would result in an insensitive form of new development which would be contrary to the Framework and would have a major impact on the Green Belt. These could set an unwelcome precedent and result in unrestricted sprawl into the Green Belt.

4.7 We disagree with the Council’s conclusion that the sites are suitable and deliverable for the scale of housing which is proposed in York. In particular, these appear piecemeal and disjointed. They do not relate well to York and have the potential to result in isolated developments which are insufficiently connected to the existing City. They could also have a more significant adverse impact in landscape and visual impact terms and development at the sites would introduce isolated built form which would be poorly related to other settlements and to the surrounding highway network in the area.

Infrastructure & Financial Contributions

4.8 The Framework also identifies that Council’s should use a proportionate evidence base when producing a Local Plan and establish realistic assumptions about the availability, suitability and likely economic viability of land to meet the identified need for housing over the Plan period (Paragraph 159).

4.9 The large scale of these sites (which vary between 34.5ha to 159ha) and the number of dwellings which could be accommodated (845 to 3,339 houses) mean that a significant amount of new infrastructure and facilities will be required which will affect the future viability and deliverability of any development on these plots. The likely requirement for implementing these works and creating extensive landscaping, local centres (due to their distance from existing facilities), new access roads and public transport services for these sites (due to their isolated distance from any key arterial routes), is likely to be a significant cost burden at the early stages of the schemes. We also do not believe that there is a reasonable prospect that the infrastructure which will be needed to serve these sites can be delivered within realistic timeframes.

- 4.10 As outlined above, the likely cost to implement the significant new access and public transport works and local centre facilities within the early phases of the schemes is likely to be significant, particularly due to the relatively isolated nature of the sites. Further assessment is therefore needed to understand the wider implications of the developments and the cost implications as there is no certainty that these sites are actually deliverable. These feasibility, viability and cost-benefit concerns need to be explored further.

Conclusions

- 4.11 In summary, there are significant viability, deliverability and suitability issues relating to the four strategic sites. The Council has effectively promoted the creation of the new 'garden villages' as it considers that these will fit well with the existing urban form of York and the smaller, freestanding villages which surround the urban area. All of the sites are isolated and poorly related to other settlements and infrastructure within the local area and would clearly encroach into the countryside and conflict with the Framework. The approach that the Council has adopted of seeking to preserve the setting and special character of York clearly lacks transparency and is at the expense of the other purposes of the Green Belt.
- 4.12 The Council's reliance on these challenging sites to help deliver their housing targets is also a significant concern, particularly as the Framework states that Council's need to satisfy themselves that Green Belt boundaries will not need to be altered at the end of the Development Plan period (Paragraph 82). There is a risk that if these sites are not successfully delivered, the Council will be unable to demonstrate a sufficient supply of deliverable housing land. The reduction in the housing allocation of these sites (from 10,680 to 6,500 dwellings in only two years) also indicates that there are still large uncertainties about their wider deliverability.
- 4.13 A robust detailed viability review of the sites and the significant new transport and local facilities infrastructure which will be required must be considered before the sites are formally allocated. Equally, detailed analysis is required to confirm that the proposed travel options are realistic and deliverable, particularly as the significant reduction in the overall scale of the schemes, makes the extensive works which are required less likely to be brought forward. The reduction in the number of units which could be incorporated in the sites could have an impact on the potential viability of the schemes.
- 4.14 In summary, the evidential basis to justify the selection of the above sites through the emerging Local Plan has not been provided by the Council. Each are affected by very significant constraints, which have not been subject to proper appraisal by the Council to date, whilst there are very clear uncertainties regarding the viability of these developments generally and their ability to fund the very significant infrastructure needed to bring them forward over the Plan period. The Council has failed to demonstrate that these sites represent the most suitable allocations when considered against reasonable alternatives. The selection of these sites is unsound and must be reconsidered as part of the ongoing preparation of the Local Plan.

5. Land at North Field, York

5.1 The preceding sections of this report have set out the following:

- A number of concerns regarding the methodology and general approach to the appraisal and selection of sites for development, including the deficiencies in the evidence base to underpin the proposed allocation of sites and the sustainability of the spatial strategy which has informed the process;
- A number of concerns regarding the basis on which the Council has arrived at the strategic housing requirement for the Local Plan of 841 dwellings per annum; and
- A number of concerns regarding the deliverability, viability and impacts of selected preferred sites which brings into question their ability to deliver the projected level of housing development over the Plan period and in a sustainable manner.

5.2 Reflecting the above, it is JJ Gallagher's view that the Local Plan will need to plan for more housing than currently proposed and will need to consider a range of alternative sites to ensure those which the Local Plan allocates represent the most sustainable options having regard to a range of matters, including:

- General location within the City and the extent to which this is a priority area for development;
- Deliverability and viability;
- On site constraints (ecology, flood risk, archaeology, ground conditions, trees);
- Accessibility and proximity to services;
- The need for infrastructure provision to serve the sites;
- Green Belt contribution and impact; and
- Landscape sensitivity.

5.3 To date, the approach taken to selecting sites for development has not had full and proper regard to all of these considerations. All candidate sites should therefore be subject to reappraisal to understand the opportunities and constraints which each presents and from which the most sustainable can be selected for allocation.

Land at North Field, York

5.4 JJ Gallagher Ltd has a legal interest in the North Field site and is working with the landowner to promote this through the Local Plan. The extent of the site area is shown in Figure 5.1 below.



Figure 5.1: Site Location Plan

- 5.5 The accompanying Vision Framework sets out a detailed masterplan for the development of this site informed by a full appraisal of its opportunities and constraints. This demonstrates how the site could be developed as a high quality and sustainable housing-led scheme which will relate well to the existing local area, providing the strategic opportunity to accommodate up to 1,000 dwellings alongside community facilities and key infrastructure, including a retained 'green wedge' between the western edge of York and Knapton.
- 5.6 To inform the Council's ongoing assessment of this site through the progression of the Local Plan, this section of the representation report summarises the case for development, including demonstrating why the site will not give rise to unacceptable environmental impacts and how the site can be delivered in a manner which responds positively to its identified constraints, including through retaining a substantial green gap between the developable area and the settlement of Knapton which will prevent the coalescence of York and Knapton.
- 5.7 The site extends to c. 48 hectares and is located adjacent to the western boundary of the existing medium-density residential developments within Acomb. The suburban area is characterised by a variety of different styles and sizes of housing from the 1930s – 2000s within several large-scale housing estates.
- 5.8 The City of York Historic Characterisation Project (2013) identified that the late 20th century developments within the Acomb North area has followed many different styles of construction, are not locally distinctive and were designed to utilise space to maximum effect.

- 5.9 The site comprises a large arable field known as North Field together with a smaller area of paddocks and a small collection of agricultural buildings which are separated by natural boundaries and hedgerows; topographically the site is very flat. A power line traverses the site in a north-west to south-east direction. The site is bounded by agricultural land to the north which is currently subject to an outstanding planning application for a large scale housing development; a standalone dwelling; and a McDonalds fast food restaurant and service station (including a Marks and Spencer food outlet) which were approved in 2014.
- 5.10 The east of the site is bounded by existing residential development off Sherwood Grove, comprising a mixture of semi-detached dwellings and bungalows. The north west of the site is effectively bounded a dense and mature hedgerow which provides screening from the A1237. This key arterial route also forms a firm and defensible boundary between the site and the Oakwood Business Park and caravan storage area. To the south west, the site is bounded by existing residential developments within the village of Knapton. These existing built features are all visible from within the site and have an urbanising effect upon the surrounding area.

Case for development to the west of York

- 5.11 As set out in section 3 of this report, the selection of preferred sites is informed by a spatial strategy which is narrow in its outlook and consideration of spatial issues. Most notably there is no consideration of where within York development should be directed to achieve optimum social and economic outcomes, rather the objective of the strategy is to direct development to sites which are deemed to cause the least environmental harm and which provide a means of access to local services. As a spatial strategy, this fails to reflect the wider concept and definition of sustainability and critically does not allow the wider social and economic benefits of directing development to one part of York over another to be given any weight in the selection process.
- 5.12 Not all areas of York are equal. Some are more environmentally sensitive than others (as reflected in the site selection approach) but some would represent more sustainable locations for development for other reasons. For example, housing need may be greater in one part of the City over another. Deprivation may be higher in one part of the City over another pointing towards a need for greater investment in public services or regeneration. Some areas of the City are better connected to the strategic road network, which provide connections to other economic centres beyond York.
- 5.13 The spatial distribution of development should not be governed simply by the assumed suitability of sites (essentially the absence of environmental constraints in this case) whereby the socio-economic context to their location is given no consideration. To be truly spatial in its outlook, the strategy should reflect the wider geography of the City including a consideration of the wider benefits which will be realised by directing development to one part of the City over another. This would represent a more balanced approach as required by the Framework.
- 5.14 The Council should undertake a proper and comprehensive spatial appraisal (including environment, economic and social dimensions) of the City to inform its spatial strategy and thereafter the selection of sites for allocation. Whilst not presenting such an appraisal within this representation report, this would reveal a number of key attributes

and features of the western part of the City which should influence the approach to the selection of sites for future development.

- 5.15 Firstly, the western area of the City contains the most deprived ward in York in Westfield, which is also in the most 20% deprived wards in the country. The regeneration benefits arising from new investment and increased consumer spending capacity to sustain local services will inevitably be greater when development is directed to such locations.
- 5.16 Secondly, the western part of the City benefits from significantly better transport connections to key economic centres beyond York, including Harrogate and Leeds which account for 29% of all daily out commuting from York (c5,000 persons per day)⁸. These are natural commuting patterns which reflect that both Leeds and Harrogate are strong economic centres. Whilst York is a net-importer of labour, these levels of out commuting are unlikely to change.
- 5.17 Directing development to the west of the City will reduce the extent of cross city vehicular movements in the peak AM and PM hours related to this commuting helping to reduce congestion.
- 5.18 Finally, the west of the City is generally free from significant environmental constraints. Most notably, it is less sensitive to development from a landscape and heritage point of view. This is illustrated by Figure 3.1 (Historic Character and Setting of York) of the Preferred Sites paper which, whilst identifying areas of land which are important in 'retaining the rural setting' of York and 'preventing coalescence' in the west of the City, clearly shows that areas to the south and north are significantly more constraining, providing large swathes or areas identified as 'green wedges', 'extension of green wedges' and 'river corridors.' Even applying the Council's own narrowly defined spatial principles, it is clearly a sustainable location for growth. This makes the decision not to locate development within this part of the City even more questionable and unjustified.
- 5.19 In the case of the first two points raised above, the approach taken by the Council does not allow these key considerations to be factored in to the process of selecting sites given the narrow outlook of the spatial strategy. Rather the spatial strategy focuses only on site specific considerations without considering the broader socio-economic context to their location.
- 5.20 As noted above, in order to correct this, the Council should undertake a proper and comprehensive spatial appraisal (including environment, economic and social dimensions) of the City to inform its spatial strategy and thereafter the selection of sites for allocation. This will ensure wider sustainability considerations are given their appropriate weighting in the site selection process, including the matters raised above regarding the benefits of focusing development in the western part of the City.

8

[http://democracy.york.gov.uk/\(S\(aw2b23jofoyuejfc1asnI055\)\)/mgConvert2PDF.aspx?ID=42454](http://democracy.york.gov.uk/(S(aw2b23jofoyuejfc1asnI055))/mgConvert2PDF.aspx?ID=42454)
Table 1

Site specific considerations

5.21 Whilst setting out a case for seeking to direct a significant proportion of development specifically to the western part of the City as part of the overall spatial strategy, this must be balanced against the need to ensure such an approach is appropriate having regard to wider sustainability criteria, including the availability of suitable and unconstrained sites to deliver this growth. The remainder of this section of the report considers the proposed site at North Field in this context, with a focus on the criteria set out at paragraph 6.2 above.

Green Belt contribution and impact

5.22 The five purposes of the Green Belt as confirmed by the Framework are as follows:

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

5.23 As noted above, the Council has not undertaken a comprehensive Green Belt review to inform the selection of preferred sites. This highlights a fundamental deficiency in the evidential basis for the approach taken, as a result of which, the selected sites cannot be justified as presenting the most appropriate strategy when considered against reasonable alternatives.

5.24 Whilst sites have been subject to some level of Green Belt appraisal, this has been carried out on an ad hoc basis and, in each case, is far from representative of a complete and robust assessment against each of the above purposes. This flawed approach has resulted in the Council selecting Green Belt sites for release on the basis of a presumed need to generally retain the extent of the 'Green Belt' which wraps around the urban area of the City in its present form. In response, new development is directed to stand alone and disconnected settlements located in areas of open countryside which are deemed to perform a lesser Green Belt role due to their disconnection from the urban area of the City and therefore not contributing to the setting and special character of York to the same degree.

5.25 It is incorrectly assumed by the Council that all open land which bounds the urban area performs this 'setting and special character' role and the need to protect this Green Belt purpose appears to have outweighed other Green Belt, and wider sustainability, considerations in the selection of sites. A comprehensive review of the Green Belt against each of the above purposes, and undertaken in the context of development proposals put forward by land owners and developers as part of the Local Plan process, is urgently needed to enable the Local Plan to progress on a sound footing.

5.26 To assist this process, a short appraisal of the subject site's Green Belt contribution and purpose, and how any potential Green Belt impact could be adequately mitigated as part of its development, is presented below.

5.27 The site's Green Belt context is presented in Figure 5.2 below.



Figure 5.2: Green Belt context

Purpose 1: to check the unrestricted sprawl of large built-up areas

5.28 The site is bounded by the A1237 along its western boundary. This provides a fixed and significant defensible boundary to prevent further encroachment in to the wider expanse of open land to the west. The site forms part of an area of land which is physically well contained by major road infrastructure (including the A1237 to the west and A59 to the north) and existing hedgerows and has a clear relationship with the built up area of York rather than comprising part of a wider expanse of open land located to the west.

5.29 The site does not perform a critical role in checking the unrestricted sprawl of a large built up area and its development would not undermine the function of the wider open land to the west of the A1237 in this regard.

Purpose 2: to prevent neighbouring towns merging into one another

5.30 The site forms part of an area of open land between the western edge of York and the village of Knapton. This area of open land performs a role in retaining the gap between these settlements and ensuring they do not merge. This is reflected in Figure 3.1 of the Preferred Sites paper which identifies the site as an area 'preventing coalescence' (in this case of York and Knapton).

5.31 The illustrative masterplan presented within the associated Vision Framework illustrates how a residential scheme can be delivered whilst retaining a sufficient green gap

between the western extent of the development area and the settlement of Knapton. This will ensure the proposed development represents an extension to York but retaining its separation from Knapton to prevent coalescence.

- 5.32 At its closest point, the separation distance between the residential development and the village of Knapton would be approximately 277 m. Critically the residential proposals retain a significant area of open land to the south of the site which is more visibly prominent from Knapton due to the absence of hedge screening along Back Lane, as illustrated through Figure 5.3.



Figure 5.3 – Retained open views looking west from Back Lane

- 5.33 In contrast, where the residential development would be visible when looking west from Back Lane towards York (i.e. to the north of farm and riding stables located midway along Back Lane) views are screened by existing hedges along the edge of the carriageway as illustrated through Figure 5.4. Only limited glimpse views of the residential development would be provided.



Figure 5.4: Image looking north west from Back Lane towards area of proposed development

- 5.34 This masterplanning approach will ensure the presence of the residential development is not generally perceived from within the village of Knapton.
- 5.35 Whilst the site, considered as a whole, performs an important role in ensuring Knapton and York do not merge, through a sensitive design approach as set out in the Vision Framework, the proposal will ensure that a sufficient degree of separation between the settlements continues to exist and moreover that the sense of separation will continue to be felt on the ground by ensuring the extent of existing open views looking west/north west are retained. The development can therefore be delivered without fundamentally harming this Green Belt purpose of the land.

Purpose 3: to assist in safeguarding the countryside from encroachment and Purpose 4: to assist in urban regeneration by encouraging the recycling of derelict and other urban land

- 5.36 It is accepted by York City Council that the supply of brownfield land alone is insufficient to meet the development needs of the City, including in respect of housing growth. Focusing on the regeneration of the urban area of the City and release of brownfield sites for this purpose will not be sufficient. Other sources of land, including the expansion of the existing settlement, are now urgently needed if York is to achieve its development aspirations. The site's development will not affect the Local Plan's strategy of focusing development within the urban area and on brownfield land as far as possible.
- 5.37 As noted above, the subject site is well contained by road infrastructure and there are a number of urbanising influences on its character and appearance, particularly the road side facilities at the junction of the A1237 and A59 which signal the entry point to the urban area of the City (Figure 5.5)



Figure 5.5 – Road site facilities on the A1237

- 5.38 The site very clearly has a relationship with the urban area of the City therefore, with the western edge of Acomb backing onto and providing points of access into the site.
- 5.39 The site does not take on the characteristics of land which can reasonably be classed as forming part of the countryside and does not form part of a wider expanse of open land which would satisfy this definition. It is detached from the wider expanse of open land to the west by the A1237 which provides a firm and defensible boundary between York and open land to the west. This boundary will serve to prevent urban encroachment into the wider countryside following the release of the subject site from the Green Belt and its sensitive development for residential uses.
- 5.40 It is concluded therefore that the site does not perform a specific role in safeguarding the countryside from encroachment.

Landscape sensitivity and impact

- 5.41 The site comprises few notable landscape features, although a patchy hedgerow marks the division between the large field and the paddocks. An unmade agricultural track crosses North Field to the east – west and leads from a field gate on the A1237. The site does not have any specific landscape protection and is not identified as being located within an Area of Outstanding Natural Beauty (AONB) or Special Landscape Area.
- 5.42 The Hedgerows are of varying densities and are a feature of the western and north eastern boundaries, supplemented on the northwest by scattered mature hedgerow trees. Hedging and garden fencing define most of the eastern boundary, while a mature tree line separates the site from the public open space to the southeast. A post and rail fence marks the southern and the northernmost boundary. The site and the surrounding countryside within the Vale of York are broadly flat at typically 20m Above Ordnance Datum (AOD).
- 5.43 The land is influenced by the proximity of urban development at the western edge of York, the route of the A1237 and by nearby commercial and industrial development.
- 5.44 The views of the site are contained to the near distance from adjoining roads and properties owing to the limited changes in topography, the disposition of built development, and the dense agricultural hedgerow along the route of the A1237.
- 5.45 To the west, views from the A1237 are possible alongside the site, though these are not possible to the south due to roadside vegetation and development in Knapton. Through breaks in the hedgerows on Main Road and Back Lane, some views of the site are possible, as are views from several properties that front onto Back Lane.
- 5.46 To the north, glimpsed views of parts of the site are possible from the junction of the A1237 and the A59, although commercial development restricts the view. There are partial views of the northern parts of the site from the access into the McDonalds restaurant on the northern boundary of the site, and from the rear of the property at Wheatlands House, while roadside vegetation prevents views from the A59.
- 5.47 Views to the east are possible from some of the residential properties along the site boundary off Beckfield Lane, though it is restricted in places by boundary vegetation and

given the limited topographical changes these properties largely screen those further to the east.

- 5.48 To the south the views are largely prevented by boundary vegetation of the intervening paddocks. The impact on views into the site can be mitigated through design, with consideration being given to the landscaping on the western and southern side of the development to provide a sustainable and logical new edge to Acomb.

Accessibility

- 5.49 The site is in a sustainable location close to existing services and is of a size which would also enable the provision of new community facilities such as a school and shops, as illustrated in Figure 5.6.

- 5.50 The site is located in close proximity to a range of services and facilities, including a Co-operative Food Store, Costcutter (with Post Office) and a Premier convenience store which are within 650m (c.10 minute walk). The majority of these stores are located within the Boroughbridge Road and Beckfield Lane Neighbourhood Parades. The York Retail Study (2014) identifies that these centres provide a range of retail and service units and they perform an important function in catering for the needs of the surrounding residential community and passing trade.

- 5.51 The site is also within 2km of Acomb District Centre (c.25 minute walk) which provides access to a wide range of facilities. The York Retail Study recognises that Acomb accommodates a good range of convenience goods alongside a range of service and community uses and plays an important role in catering for the day to day shopping needs of the local community. It identifies that Acomb accommodates 134no. commercial units, including a Morrisons, Co-operative Food, banks (including Lloyds and Halifax), a Post Office, pharmacies, cafes, opticians, Acomb Library, doctors surgeries and a community centre.

- 5.52 There are also other convenience stores within the local area (including a Sainsbury's Local – 1.3km south east and Costcutter – 2km south), the Energise leisure centre which is 3km to the south of the site and Wyevale Garden Centre 1km to the north of the site.

- 5.53 In addition, the site is well located in terms of educational facilities and close to the following:

- Carr Junior School - 1km to the east
- Poppleton Road Primary School – 2.5km to the south east
- Manor Church Academy – 1.5km to the north
- York High School – 3km to the south

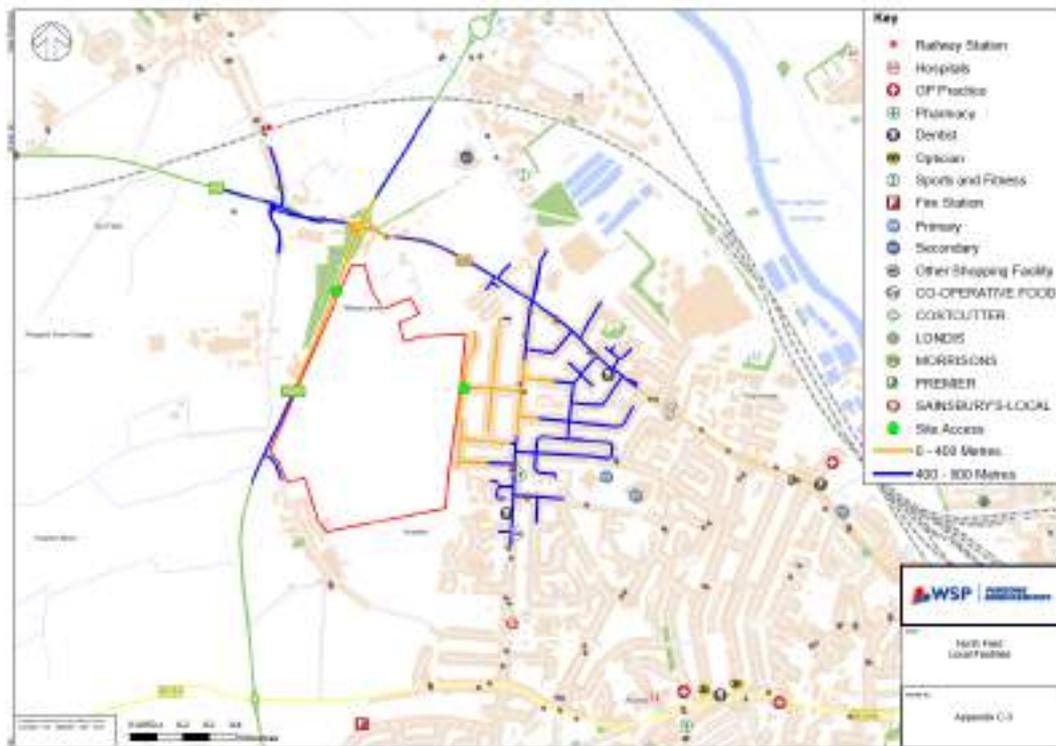


Figure 5.6: Local services audit

- 5.54 The site is also well integrated to the existing highway network and is accessible by a range of sustainable modes of transport. The A59 is located 500m to the north of the site and facilitates access into York and surrounding local areas such as Poppleton. The A59 also provides access into neighbouring towns including Knaresbrough and Harrogate and access to the wider strategic road network including the A1(M) which provides links to cities such as Leeds and Newcastle.
- 5.55 York train station is within 4km of the site and provides regular direct access to destinations including Newcastle, Leeds, Peterborough and London.
- 5.56 Bus stops are located along Beckfield Lane within 500m to the east of the site and provide frequent services to the surrounding areas such as Acomb, York and Strensall (nos. 5A, 5 and 20). Further bus stops are also located along the A59 and provide access to York, Boroughbridge and Acomb (20 and 22). These bus stops are all within walking distance of the site (within 500m).

Vehicular access and transport

- 5.57 The site is in a sustainable location within close proximity to public transport facilities and walking/cycling routes. It is accessible to local facilities and it has opportunities to travel by park and ride, train, bus, walking and cycle. The Poppleton Bar Park and Ride, for example, is located on the outbound side of the A59 on the outer side of A1237. In addition, the site provides an opportunity to improve the sustainable travel options for the development itself and for the adjacent residential areas. This could include the provision of improved cycle and walk routes to Poppleton Bar Park and Ride; a meaningful site wide Travel Plan; and/or the provision of a new bus service or diversion of an existing bus service through the site.

- 5.58 The A1237 York Outer Ring Road is located to the north of York and, together with the A64, it forms an Outer Ring road around the City. The section of A1237 along the site frontage is a wide single carriageway road with verges to both sides and is currently operating safely. The A59 runs from Harrogate into York City Centre and forms a roundabout junction with the A1237 to the north of the site. This roundabout was recently upgraded recently to enable all arms of the roundabout to have two lane approaches and a left turn slip lane.
- 5.59 There is a recently opened Petrol Filling Station and McDonalds located on the southbound leaving side of A1237/A59 roundabout which is close to the site. The highway works associated with this scheme have provided two lanes of carriageway for traffic approaching and leaving the roundabout to and from the south.
- 5.60 It is proposed that the main vehicular access to the site will be taken from the A1237 off a new roundabout. This will be offset from the centreline from the A1237 and will be built on land entirely within the client's control and will accord with DMRB design standards to ensure that road safety on the A1237 will not be compromised.
- 5.61 It is proposed to access a small proportion of the development via the residential area to the east of the site off Beckfield Lane. There are also several opportunities to introduce new pedestrian and cycle links between the site and Beckfield Lane as part of the scheme.

A1237 York Outer Ring Road Improvements

- 5.62 The A1237 York Outer Ring Road project is identified as a 'quick win' project to improve seven roundabouts on the A1237 for delivery by 2010 - 21. The junction upgrades will be future proofed to enable dualling to the A1237 in the future and the works will have a beneficial impact on the operation of the A1237 as a whole. The A1237 / A59 has already been improved.
- 5.63 The proposed allocation of the North Field site development may be able to assist the ORR scheme through dedicating land along the site frontages to facilitate any subsequent dualling of the A1237. This will avoid the need for York City Council to purchase the land and be exposed to the costs, delays and risks associated with Compulsory Purchase Order procedures.
- 5.64 Overall it is considered that the site is an appropriate and sustainable location for residential development from a highways point of view. Further, there are no justifiable highways or transport reasons that should prevent the granting of planning consent for the proposals.

Other technical considerations

- 5.65 The site has been subject to thorough appraisals to consider additional constraints to its development relating to its:
- Ecological value and condition
 - Flood risk and drainage

- Trees
- Heritage and archaeology

5.66 The findings of these appraisals are summarised in the submitted Vision Framework. They demonstrate that the site does not present any insurmountable constraints which could affect its development and the site could come forward over the Plan period utilising standard mitigation measures in respect of each discipline. This particularly contrasts with a number of the sites identified as preferred sites by the Council which are affected by significant environmental, access, landscape and built heritage constraints which would require very significant infrastructure works to deliver, as outlined in Section 4 of this report.

6. Summary and conclusions

- 6.1 This report has been prepared by Turley on behalf of JJ Gallagher Ltd. It sets out a comprehensive representation to the York Local Plan Preferred Sites Consultation (July 2016). It should be read alongside the associated document entitled 'North Field, Land to the east of the A1237: Vision Framework' and the objectively assessed need for housing in York report which also form part of JJ Gallagher's submission to the current consultation.
- 6.2 JJ Gallagher Ltd has a legal interest in a substantial area of development land to the west of York located at North Field on the western edge of Acomb. The associated Vision Framework provides a full appraisal of the site's development potential and sets out a masterplan for the provision of c.1,000 high quality homes alongside associated open space and community infrastructure as a sustainable extension to York.
- 6.3 The submission demonstrates that the site:
- Is sustainably located in relation to key services, cycle and public transport routes;
 - Does not occupy a sensitive location in landscape and heritage terms;
 - Is occupied on the western side of the City, providing direct access to surrounding economic and employment centres at Leeds and Harrogate via the strategic road network;
 - Is well related to areas of high unemployment (relative to York) and regeneration need; and
 - Does not perform a strategic Green Belt function and can be developed in a manner which avoids significant harm to the Green Belt;
- 6.4 The site is capable of making an important contribution to meeting the long term housing needs of York and securing a range of key benefits which flow from this, including:
- Provision of affordable housing;
 - Increased local spending capacity to sustain local services;
 - New community facilities for the benefit of the local community, including new accessible open space and investment in local education;
 - Increased Council Tax revenue; and
 - Significant New Homes Bonus contribution.
- 6.5 This representation has also presented an appraisal of the Council's approach to selecting the preferred sites for development and of a number of the preferred sites themselves. It identifies and sets out the following:

- The Council's approach to selecting sites is not truly 'spatial' in its outlook and is not based on the need for an integrated achievement of sustainable (social, economic and environmental) outcomes.
- It is a fundamentally flawed approach and does not result in the selection of the most sustainable sites for development;
- The evidential basis to support the selection of identified sites is not comprehensive. Most notably, it has not been informed by:
 - a proper assessment of the viability of selected sites, including the ability of sites to deliver the significant infrastructure works which will, in many cases, be needed;
 - a Green Belt review; or
 - a strategic landscape assessment.
- That the Council has selected Green Belt sites for development that will individually and cumulatively result in a greater impact on the Green Belt than the potential alternative site options. The approach is therefore unjustified. This partly stems from a fundamental misunderstanding of the role and function of the Green Belt surrounding York;
- The Council has failed to undertake a proper and equal review of all potential development site options;
- The approach to the selection of sites presents a number of significant conflicts with the Framework and PPG; and
- That the Council is not planning for a sufficient level of housing development in overall terms.

6.6 As a result of the above, the sites identified for allocation and the approach to their selection is fundamentally unsound and is **not**:

- **Positively prepared** – it will not meet the full objectively assessed need for housing over the Plan period
- **Justified** – due to an absence of a robust evidential basis and as a result of the Council not giving equal consideration to all potential development site options
- **Consistent with national planning policy**
- **Effective** – the selected sites are not deliverable over the Plan period

Appendix 1: Land at North Field, York – Site Location Plan



Appendix 2: Land at North Field, York – Concept Framework Plan



Key

1. New traffic and/or roundabout constructed within the site to accommodate access off A1237
2. Primary vehicle access into site
3. Secondary public transport only (or limited access/traffic) access into site
4. Enhanced pedestrian footpath/cycleway across site
5. Development block
6. Central green space
7. Indicative location of proposed Primary School
8. Linear park and amenity strip bounding existing properties
9. Green connection with existing public open space
10. Habitat landscape corridor including swales and attenuation basins
11. Planted landscape buffer
12. Re-installed hedgerows
13. Development setback to allow for future widening of the A1237 and accommodate suitable noise mitigation
14. Green wedges between Knapton and development retained as open farmland
15. Retained high quality trees along the periphery of the site

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North Field, Land to the east of the A1237 Vision Framework

October 2017

Prepared on behalf of Gallagher Estates



GALLAGHER
ESTATES

Turley

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This Vision Document has been prepared on behalf of Gallagher Estates. It responds to York City Council's Draft Local Plan consultation September 2017.

It promotes the creation of a new sustainable community to the north-west of York. It demonstrates that the site is deliverable and would represent a sustainable location for development with no significant constraints that would prevent the development from being brought forward during the Local Plan period.

1.1 The National Planning Policy Framework ('the Framework') requires local planning authorities (LPAs) to plan positively and seek opportunities to meet the development needs of their area. LPAs are also required to objectively assess the full need for new housing and identify sites to meet this need.

1.2 York City Council has recognised that there is a housing supply shortfall in the local area and its housing requirement over the forthcoming Plan period cannot be met without allocating housing sites within the Green Belt. It has therefore identified a number of potential strategic Green Belt sites which it has assessed within the Preferred Sites document as being capable of making a significant contribution towards meeting the development requirements of York.

1.3 The land to the east of the A1237 ('North Field') is not currently identified as a potential housing allocation in the Council's Preferred Sites document.

Spatial Framework

1.4 This Vision Document illustrates an indicative spatial framework plan to promote the future development proposals of North Field and to enable its allocation as a strategic housing site in the emerging Local Plan. The spatial framework has been informed by a detailed review of the land and is supported by a comprehensive evidence base which has concluded that a housing-led development on the site is appropriate. In particular, the supporting landscape assessment demonstrates that the land currently performs only a limited contribution to the five purposes of Green Belt policy and any future housing proposals would be able to incorporate suitable mitigation measures to address any local impact.

Scope

1.5 This document identifies:

- The potential - a broad summary of the strategic policy drivers of relevance to the development of the site;
- The place - an appreciation of the site's context and any constraints; and
- The opportunity - the spatial and place making opportunities presented by the site.

The Team

1.6 This document has been informed and endorsed by the following consultant team:

- Gallagher Estates - Developer
- Turley - Planning, Design and Economics
- CSA Environmental – Landscaping and Ecology
- WSP – Transport, Flood Risk/Drainage/Utilities and Geotechnical
- Prospect Archaeology/Turley Heritage – Archaeology and Heritage

Overview

1.7 In summary, Gallagher Estates is seeking to develop a new residential neighbourhood on the land to the west of the suburban area of Acomb in York. This Vision Document clearly demonstrates that the site will help make a significant contribution towards the identified need for housing in York during the Local Plan period and help contribute towards meeting the Council's development targets. The new dwellings will relate well to the existing environmental and landscape features on the site and a variety of new houses could be developed which will be of an appropriate form, scale and density. Furthermore, the development could provide additional facilities to serve the existing and future residents and enable the creation of a truly sustainable new community.

1.8 In summary, the following can be highlighted:

- The site is in a highly sustainable location within close proximity to the existing services and facilities of Acomb District Centre;
- The development of the site for new houses provides opportunities to improve the community offer and generate significant economic, social and environmental benefits;
- The scheme could enable the delivery of new affordable homes; and
- The development will result in minimal harm to the main purposes of the Green Belt.

Strategic Written Representations

1.9 This Vision Framework document accompanies the main written representation report which has also been prepared by Turley on behalf of Gallagher Estates. This includes an overview of York's strategic planning position and the objectively assessed need for housing in the area. It contains a detailed appraisal of the North Field site, its location to the west of York and an evaluation of its compliance with the National Planning Policy Framework's five purposes of the Green Belt.



Site location plan

This analysis of planning policy has been informed by the National Planning Policy Framework ('the Framework'), the adopted and emerging Development Plan documents and the associated evidence base documents.

National Planning Policy Framework

2.1 The Framework provides the over-arching context for the preparation of development plans and consideration of the future use of the subject site. The allocation of the North Field site for housing development would comply with the key objectives of the Framework as outlined below.

Promoting Sustainable Development

2.2 The presumption in favour of sustainable development is central to the Framework's policy approach. In promoting sustainable development in the plan-making process, LPAs are required to positively seek opportunities to meet the development needs of their area (paragraph 14).

2.3 Local Plans are the key to delivering sustainable development and should be prepared with that objective in mind. To that end they should be consistent with the principles and policies set out in the Framework (paragraphs 150 and 151).

2.4 The 12 Core Planning Principles which underpin plan making and decision taking within the planning process are set out in paragraph 17 of the Framework. In particular, planning should:

- Not simply be about scrutiny, but be a creative exercise finding ways to enhance and improve places;
- Proactively drive and support sustainable economic development to deliver the homes, development and places the country needs;
- Take account of the different roles and character of areas, protecting Green Belts and recognising the intrinsic character and beauty of the countryside; and
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

2.5 It is clear from the Framework that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and significant weight should be placed on that objective through the planning system.

Sustainable Transport

2.6 Section 4 of the Framework highlights the important role transport policies have in facilitating sustainable development and also in contributing to wider sustainability and health objectives.

2.7 Paragraph 30 emphasises that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, LPAs should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.

2.8 Furthermore, plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised (Paragraph 34).

Housing

2.9 Section 6 of the Framework emphasises the requirement for LPAs to **'boost significantly the supply of housing.'** To achieve this Council's should:

- Use their evidence base to ensure that their Local Plan meets the full objectively assessed needs for market and affordable housing in the housing market area – recent case law makes clear that this is the starting point for assessing the housing requirement before any constraints are applied; and
- Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer to ensure choice and competition in the market for land.

Green Belt

2.10 The importance of protecting Green Belt land is emphasised in the Framework, with the fundamental aim of Green Belt policy being to prevent urban sprawl by keeping land permanently open.

2.11 The Framework confirms that, once established, Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of the Local Plan. When such a review is necessary, LPAs should take into account the need to promote sustainable patterns of development.

2.12 When defining Green Belt boundaries, LPAs should, inter alia:

- Ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- Not include land which it is unnecessary to keep permanently open; and
- Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

Conserving and enhancing the natural environment

2.13 The Framework also recognises that the planning system should contribute to and enhance the natural and local environment which should include protecting and enhancing valued landscapes.

Plan Making

2.14 Local Plans should also be **'sound'**, meaning that they should be positively prepared, justified, effective and consistent with national policy (paragraph 182).

Development Plan

2.15 The Development Plan for York comprises several Green Belt policies and the relevant parts of the key diagram of the Regional Spatial Strategy (RSS) for Yorkshire and the Humber.

Regional Spatial Strategy

2.16 The majority of the RSS for Yorkshire and the Humber was formally revoked in 2013, though those policies relating to the Green Belt were retained and remain relevant. The RSS does not set out detailed Green Belt boundaries for York, and as such there are no officially adopted boundaries, the Key Diagram does illustrate the 'general extent' of the Green Belt around York.

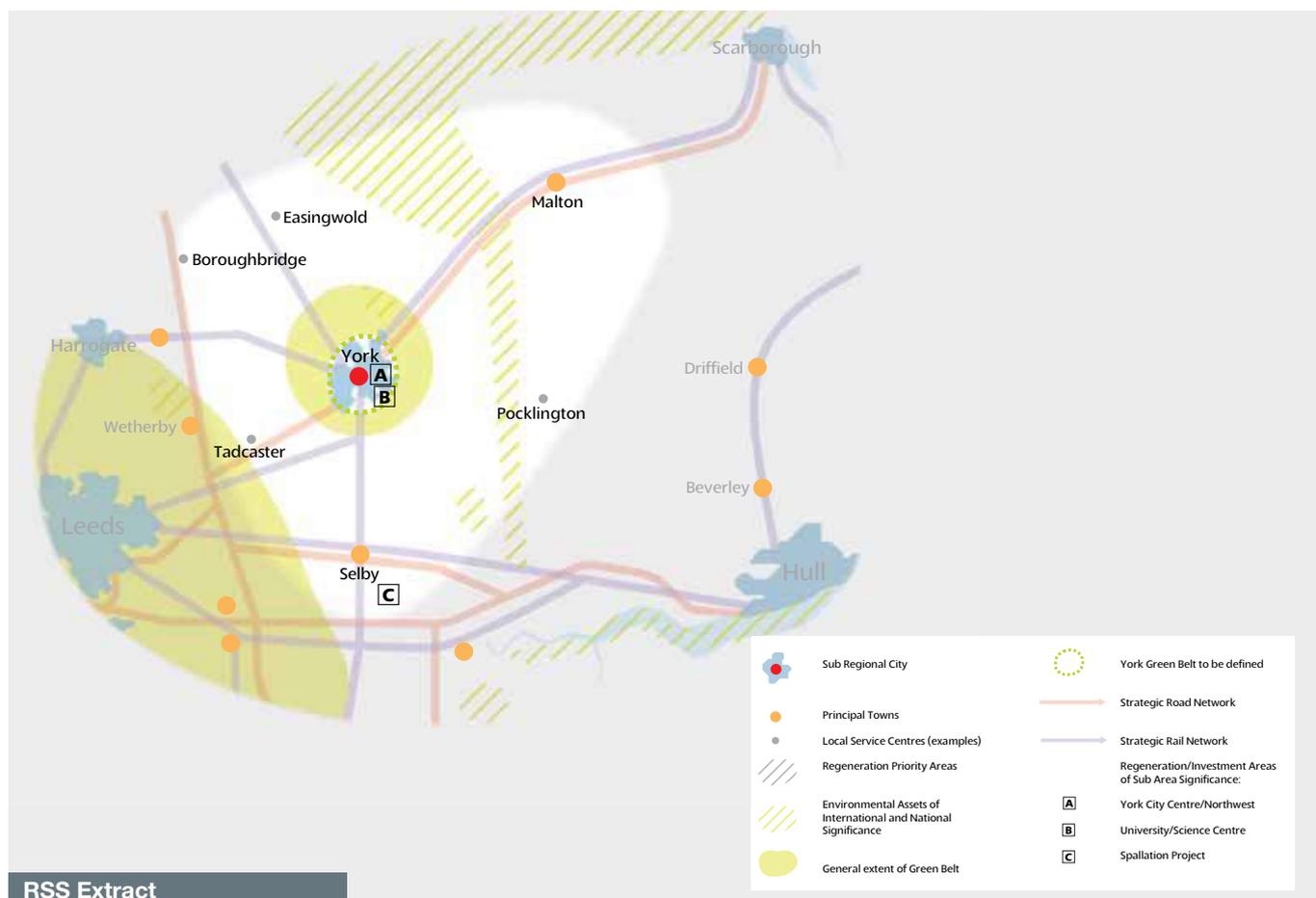
2.17 RSS Policy YH9 Green Belts Part C relates to the setting of the inner boundaries of the Green Belt around York, stating that

'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.'

RSS Policy Y1 York Area Sub Policy Part C (1 and 2) also relates to the setting of Green Belt boundaries and the character of York:

'1. 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.'



RSS Extract

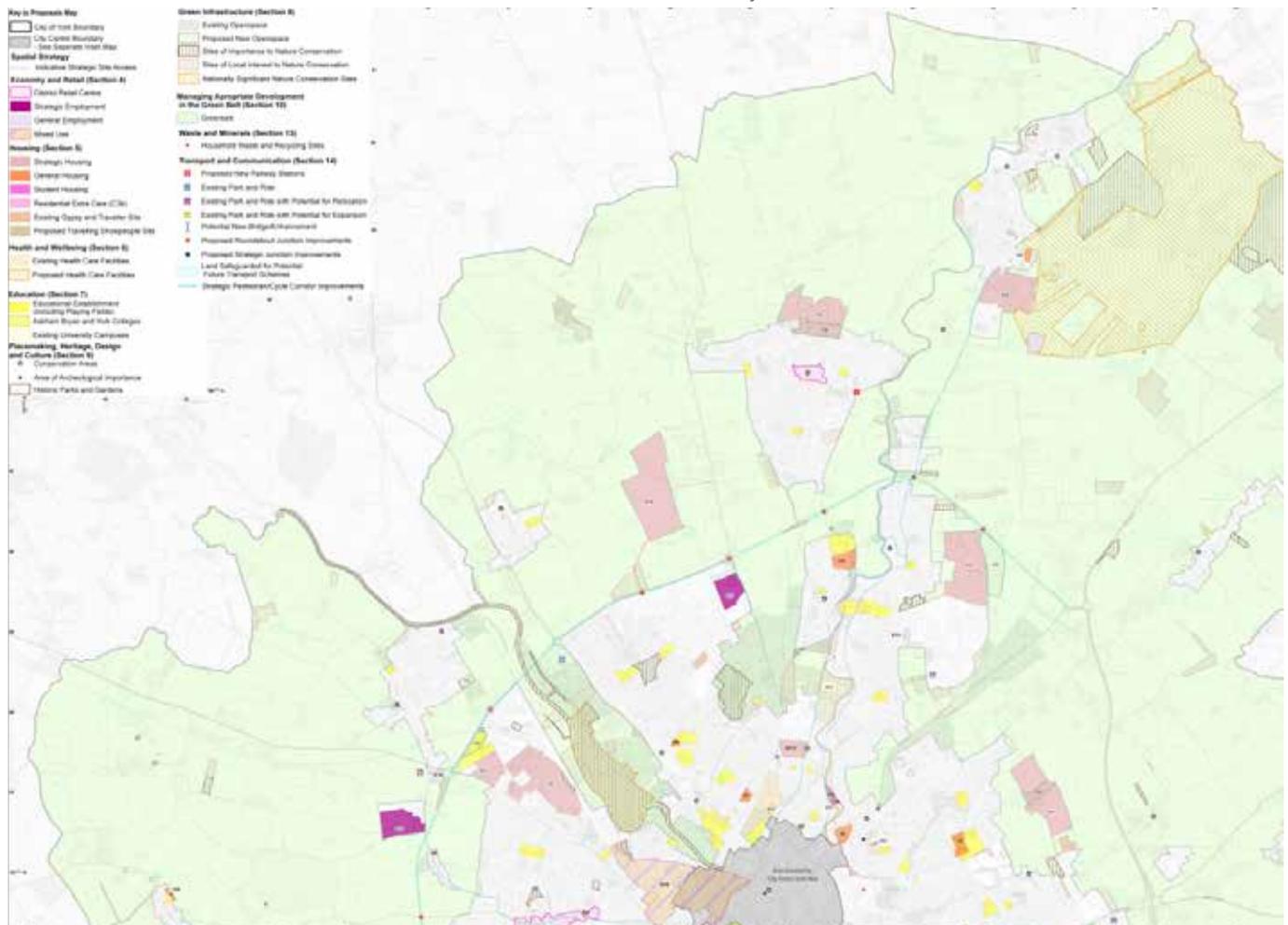
York Local Plan (2017)

2.18 The Draft Local Plan is subject to consultation until 30th October 2017.

Green Belt Policies

2.19 The Draft Local Plan identifies that the site is located within the defined Green Belt and adjacent to (but outside) the development limit of York. The Green Belt is defined as an area within which the Council states it will seek to prevent unnecessary or inappropriate development. The Plan states that the main purpose of the Green Belt for York is to preserve the setting and the special character of the historic City (Policy SS2).

2.20 Policy GB1 states that development in the Green Belt will only be granted where; the scale, location and design of such development would not detract from the open character of the Green Belt; it would not conflict with the purposes of the Green Belt; and it would not prejudice the setting and special character of the City of York.



Housing Policies

2.21 The Draft Local Plan seeks to ensure that there are enough dwellings for current and future residents of the City. It allocates a range of sites to meet the housing land need, with an emphasis on those which can be accessed by good public transport or bicycle, in order to reduce the dependency on the car. The majority of the sites which are allocated are previously developed (brownfield) or underutilised plots of land.

2.22 Policy H10 (Affordable Housing) outlines the Council's commitment to ensuring an adequate provision of affordable houses. It would require the provision of 30% affordable housing at North Field. H3 seeks to enable the delivery of a variety of new house types, sizes and tenures which should be appropriate to the location and nature of development. In addition, the scale and design of proposed residential development should be compatible with the character of the surrounding area and must not harm local amenity (Policy H2). A density of 40 dwellings / ha in locations outside the City Centre or urban area is recommended.

Transport Policies

2.23 The Draft Local Plan states that new developments should be designed and located so as to minimise the need to travel, with Policy T1 identifying that proposals must demonstrate that they will reduce the dependence on the private car by providing for more environmentally friendly modes of transport such as encouraging cycling and walking. Furthermore, new development will be directed to areas served by public transport and footpath/cycle links will be a requirement within and between new developments.

Community and Open Space Policies

2.24 Policy HW2 states that when considering proposals for new residential development, the potential impact on existing community facilities will be assessed and should any additional provision be necessary to serve the needs of the new housing development, negotiations will take place to either increase / enhance current facilities and / or create new facilities as part of a Section 106 agreement. Developer contributions will be expected where additional education provision is necessary as a direct result of a proposed scheme (Policy DM1).

Environmental Policies

2.25 The Local Plan seeks to ensure that all development proposals are (inter alia): appropriate and respect or enhance the local environment; the scheme's density, layout, scale, mass and design are compatible with neighbouring areas; and incorporate environmental design proposals. In addition, new development should also: have regard to the principles of sustainable development seek to include a suitable landscaping scheme be carefully designed to reflect the flood risk of the site protect nature conservation features, including high value trees and hedgerows and protect high value agricultural land.



The future development potential of the scale and nature proposed at North Field has been based on a sound appreciation of its local and surrounding context.

Wider Context

3.1 The site comprises land to the west of the suburb of Acomb, York. The site is located c. 4km to the west of York City Centre and c. 2km to the north west of Acomb District Centre. It is integrated to the existing highway network and is accessible by a number of sustainable modes of transport, with York train station providing regular direct access to key destinations in the outlying area.

3.2 The site is well connected to the key regional economic centres of York and Leeds, along with other neighbouring local centres, including the village of Knapton to the south.



Site Location

3.3 The site extends to c. 48 hectares and is located adjacent to the western boundary of the existing medium-density residential developments within Acomb. The suburb area is characterised by a variety of different styles and sizes of housing from the 1930s – 2000s within several large-scale housing estates. The City of York Historic Characterisation Project (2013) identified that the late 20th century developments within the Acomb North area has followed many different styles of construction, are not locally distinctive and were designed to utilise space to maximum effect.

3.4 The site comprises a large arable field known as North Field together with a smaller area of paddocks and a small collection of agricultural buildings which are separated by natural boundaries and hedgerows; topographically the site is very flat. A power line traverses the site in a north-west to south-east direction.

3.5 The site is bounded by agricultural land to the north which is currently subject to an outstanding planning application for a large scale housing development; a standalone dwelling; and a McDonalds fast food restaurant and service station (including a Marks and Spencer food outlet) which were approved in 2014. The east of the site is bounded by existing residential development off Sherwood Grove, comprising a mixture of semi-detached dwellings and bungalows.

3.6 The north west of the site is effectively bounded a dense and mature hedgerow which provides screening from the A1237. This key arterial route also forms a firm and defensible boundary between the site and the Oakwood Business Park and caravan storage area. To the south west, the site is bounded by existing residential developments within the village of Knapton.

3.7 These existing built features are all visible from within the site and have an urbanising effect upon the surrounding area.

3.8 The site is currently owned by JJ Gallagher Ltd. There are therefore no ownership or other legal constraints to its development.

Facilities and amenities

3.9 The site is in a sustainable location close to existing services and is of a size which would also enable the provision of new community facilities such as a school and shops.

3.10 The site is located in close proximity to a range of services and facilities, including a Co-operative Food Store, Costcutter (with Post Office) and a Premier convenience store which are within 650m (10 minute walk). The majority of these stores are located within the Boroughbridge Road and Beckfield Lane Neighbourhood Parades. The York Retail Study (2014) identifies that these centres provide a range of retail and service units and they perform an important function in catering for the needs of the surrounding residential community and passing trade.

3.11 The site is also within 2km of Acomb District Centre (25 minute walk) which provides access to a wide range of facilities. The York Retail Study recognises that Acomb accommodates a good range of convenience goods alongside a range of service and community uses and plays an important role in catering for the day to day shopping needs of the local community. It identifies that Acomb accommodates 134no. commercial units, including a Morrisons, Co-operative Food, banks (including Lloyds and Halifax), a Post Office, pharmacies, cafes, opticians, Acomb Library, doctors surgeries and a community centre.

3.12 There are also other convenience stores within the local area (including Sainsbury's Local – 1.3km south east and Costcutter – 2km south), the Energise leisure centre which is 3km to the south of the site and Wyevale Garden Centre 1km to the north of the site.

3.13 In addition, the site is well located in terms of educational facilities and close to the following:

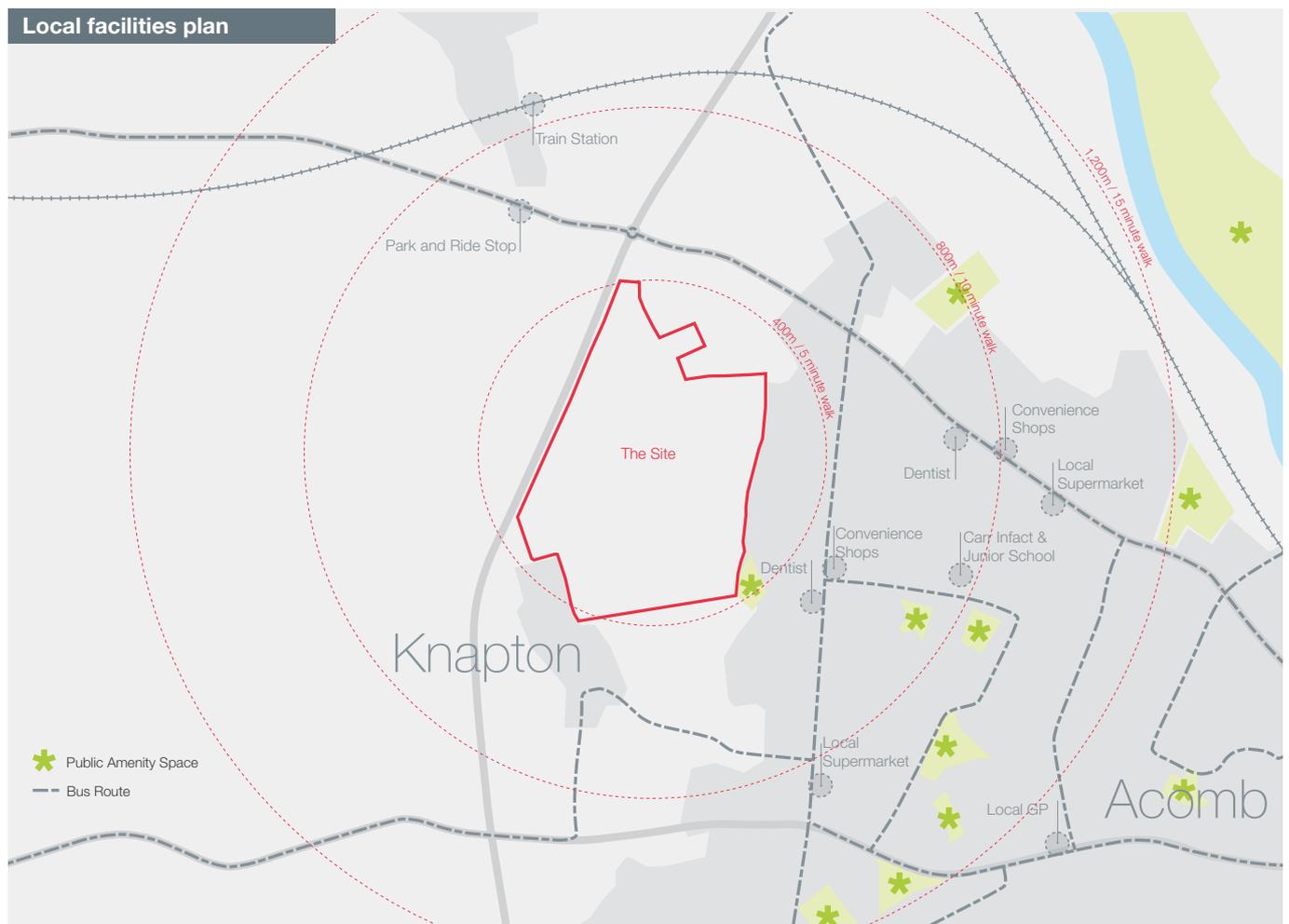
- Carr Infant and Junior School - 1km to the east
- Poppleton Road Primary School – 2.5km to the south east
- Manor Church Academy – 1.5km to the north
- York High School – 3km to the south

3.14 The site is also well integrated to the existing highway network and is accessible by a range of sustainable modes of transport. The A59 is located 500m to the north of the site and facilitates access into York and surrounding local areas such as Poppleton. The A59 also provides access into neighbouring towns including Knaresbrough and Harrogate and access to the wider strategic road network including the A1(M) which provides links to cities such as Leeds and Newcastle.

3.15 York train station is within 4km of the site and provides regular direct access to destinations including Newcastle, Leeds, Peterborough and London.

3.16 Bus stops are located along Beckfield Lane within 500m to the east of the site and provide frequent services to the surrounding areas such as Acomb, York and Strensall (nos. 5A, 5 and 20). Further bus stops are also located along the A59 and provide access to York, Boroughbridge and Acomb (20 and 22). These bus stops are all within walking distance of the site (within 500m).

3.17 In summary, the site is in a sustainable location, within walking distance of the local facilities within the District Centre of Acomb. The proposed development of the land for new houses will also help to underpin the future vitality and viability of these services by bringing additional spending to the local area.



A series of technical studies have been undertaken to inform the emerging proposals for the site and support its allocation for residential development.

Constraints and Opportunities

4.1 The Council has previously assessed the site via the Local Plan Site Selection Paper Addendum (September 2014), the Site Selection Technical Paper (June 2013) and the Strategic Housing Land Availability Assessment (SHLAA) Report (January 2011). These raised concerns about the potential access arrangements for the site and the impact that the development would have on the setting of the city and the loss of an important green buffer.

4.2 The following section of this Vision Document carefully considers these concerns and clearly demonstrates that there are no restrictive constraints or environmental designations which would present an obstacle for any future development on the site. The allocation of the site for housing on the site would, in fact, enable the opportunity to create an attractive and well-designed sustainable extension to the west of York and will help to enhance the site's existing environmental qualities and enable the delivery of new affordable dwellings and improved community facilities.

4.3 A series of technical studies have been undertaken to inform the emerging proposals for the site and support its allocation for residential development. This section summarises the key findings from these studies.

Landscape

4.4 The site comprises few notable landscape features, although a patchy hedgerow marks the division between the large field and the paddocks. An unmade agricultural track crosses North Field to the east – west and leads from a field gate on the A1237. The site does not have any specific landscape protection and is not identified as being located within an Area of Outstanding Natural Beauty (AONB) or Special Landscape Area.

4.5 The Hedgerows are of varying densities and are a feature of the western and north eastern boundaries, supplemented on the northwest by scattered mature hedgerow trees. Hedging and garden fencing define most of the eastern boundary, while a mature tree line separates the site from the public open space to the southeast. A post and rail fence marks the southern and the northernmost boundary. The site and the surrounding countryside within the Vale of York are broadly flat at typically 20m Above Ordnance Datum (AOD).

4.6 The land is influenced by the proximity of development at the western edge of York, the route of the A1237 and by nearby commercial and industrial development.

Views

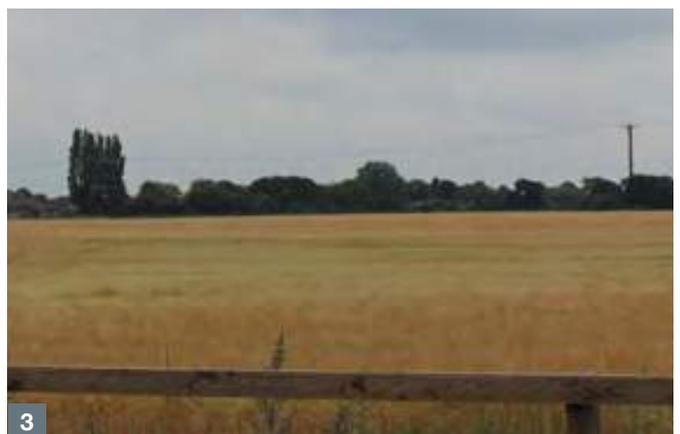
4.7 The views of the site are contained to the near distance from adjoining roads and properties owing to the limited changes in topography, the disposition of built development, and the dense agricultural hedgerow along the route of the A1237.

4.8 To the west, views from the A1237 are possible alongside the site, though these are not possible to the south due to roadside vegetation and development in Knapton. Through breaks in the hedgerows on Main Road and Back Lane, some views of the site are possible, as are views from several properties that front onto Back Lane.

4.9 To the north, glimpsed views of parts of the site are possible from the junction of the A1237 and the A59, although commercial development restricts the view. There are partial views of the northern parts of the site from the access into the McDonalds restaurant on the northern boundary of the site, and from the rear of the property at Wheatlands House, while roadside vegetation prevents views from the A59.

4.10 Views to the east are possible from some of the residential properties along the site boundary off Beckfield Lane, though it is restricted in places by boundary vegetation and given the limited topographical changes these properties largely screen those further to the east.

4.11 To the south the views are largely prevented by boundary vegetation of the intervening paddocks.

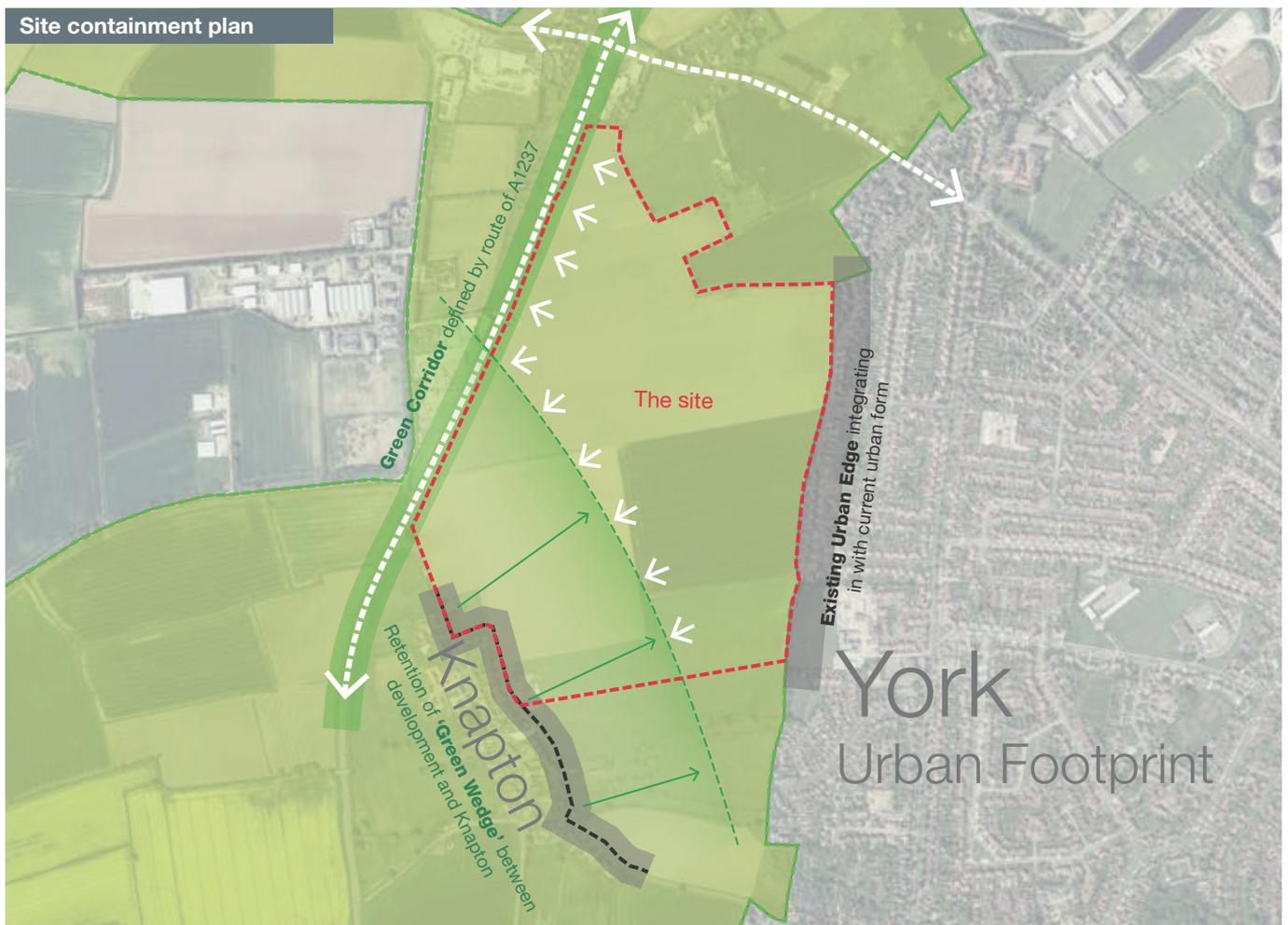


1. View of the site when viewed from the west looking east
2. View of the site when viewed from the east looking west
3. View of the site when viewed from the north looking south

Green Belt

4.12 York City Council's previous assessment of the site's potential as a housing site had concluded that there were concerns that any future development would have an adverse impact on the setting of the City and the general loss of the open aspect on a major approach into York. It was also deemed that:

- The site was an 'important green buffer between the city and the Ring Road';
- It was 'one of the only areas in the city where the green buffer remains between the Ring Road and the built up area and this should be protected and development avoided';
- If the site was developed it would create 'an unpleasant hard edge to the urban area';
- The whole of this site was deemed to be 'important to the Green Belt and the setting of the city and falls within historic character and setting - area retaining rural setting.'; and
- 'It is acknowledged that landscaping could provide some mitigation the introduction of a solid form in this location would compromise what is currently an open and fluid landscape and the views of this afforded from the A1237.'



4.13 In response to these concerns, additional landscaping assessment work has been undertaken by CSA Environmental to review the potential impact of development of North Field on the Green Belt. This has identified that the site is well related to existing development on the western built up edge of York and future development would form an appropriate extension to this area. The A1237 Outer Ring Road also forms a robust boundary to further expansion and a logical extent to development on the western edge of York. To the north and west of the site is further commercial, industrial and institutional development, which together with Poppleton Bar Park and Ride contains the site from the wider countryside and effectively embeds North Field within the wider urban envelope.

4.14 The accompanying main written representations which have been prepared by Turley also provide an additional review of the North Field site and assesses its compliance with the purposes of the Green Belt (in accordance with the Framework). The representations also include a critical appraisal of the four strategic sites within the Green Belt which have been promoted by the Council as 'green villages' and allocated for significant housing growth during the Local Plan period.

Contribution to the Rural Setting of York

4.15 CSA Environmental's assessment recognises that the Site represents an area of undeveloped farmland between the existing edge of settlement and the A1237. Despite this, if development came forward in this location, it could be accommodated without causing material detriment to the setting of York for the following reasons:

- Views from the A1237 are limited to people traveling in vehicles which have a low sensitivity to change;
- Where views exist of development in York it currently presents a rather blunt edge to the settlement;
- Development at the western edge of York dates predominantly from the latter half of the twentieth century and plays little role in the historic setting of the city;
- Development in the northern part of the site would lie in close proximity to existing development at the junction of the A1237 and the A59 which exerts an urbanising influence on this section of the route;
- The proposals would retain the southern part of the site as farmland, with housing in the northern part of the site set back from the edge of the road with new landscaping to provide an attractive setting for the housing and the approach into the settlement;
- The character of the A59 to the north is influenced by its proximity to development at the junction of the A1237 and the A59 which effectively marks the 'entrance' into the city at this point; and
- Notwithstanding the above point, development at the site would be set back from the A59 and would not impact directly on the setting of this approach.

Compliance with Green Belt Objectives

4.16 It is acknowledged that future housing development at the site would inevitably erode the separation between the edge of York, the North Minster Business Park and the countryside, and between Knapton and Beckfield Lane. However despite this, the supporting Development Framework Plan (Masterplan) demonstrates that housing and associated community facilities can be accommodated which fully respects the character and setting of the built up edge of York and of the village of Knapton.

4.17 The A1237 and the A59 provide clearly defined and permanent boundaries to the north and west of the development respectively, as is required in paragraphs 79 and 80 of the Framework. The development at the site would be well related to the urban area of York and the Outer Ring Road presents a robust boundary to the expansion of the city. A planned release of land in this location would not therefore represent urban sprawl. Similarly, the site is well contained by vegetation and infrastructure along the route of the A1237 and development would not encroach on the wider countryside beyond.

4.18 In terms of the other Green Belt objectives, development at the site would not impact on the setting of the historic city of York, nor would it result in the merging of neighbouring towns. It is recognised that whilst it would reduce the gap between the edge of York and the settlement at Knapton, the Development Framework Plan (Masterplan) demonstrates that a form of development can be accommodated which respects the character and setting of Knapton. The proposals will maintain a buffer of farmland between the new development and the village thus preventing coalescence of the two settlements.

4.19 For the reasons set out above release of the site from the Green Belt could be accommodated without compromising the objectives of national Green Belt policy.

Highways & Accessibility

4.20 The site is in a sustainable location within close proximity to public transport facilities and walking/cycling routes. It is accessible to local facilities and it has opportunities to travel by park and ride, train, bus, walking and cycle. The Poppleton Bar Park and Ride, for example, is located on the outbound side of the A59 on the outer side of A1237. In addition, the site provides an opportunity to improve the sustainable travel options for the development itself and for the adjacent residential areas. This could include the provision of improved cycle and walk routes to Poppleton Bar Park and Ride; a meaningful site wide Travel Plan; and/or the provision of a new bus service or diversion of an existing bus service through the site.

4.21 The A1237 York Outer Ring Road is located to the north of York and, together with the A64, it forms an Outer Ring road around the City. The section of A1237 along the site frontage is a wide single carriageway road with verges to both sides and is currently operating safely. The A59 runs from Harrogate into York City Centre and forms a roundabout junction with the A1237 to the north of the site. This roundabout was recently upgraded recently to enable all arms of the roundabout to have two lane approaches and a left turn slip lane.

4.22 There is a recently opened Petrol Filling Station and McDonalds located on the southbound leaving side of A1237/ A59 roundabout which is close to the site. The highway works associated with this scheme have provided two lanes of carriageway for traffic approaching and leaving the roundabout to and from the south.

4.23 It is proposed that the main vehicular access to the site will be taken from A1237 off a new roundabout. This will be offset from the centreline from the A1237 and will be built on land entirely within the client's control and will accord with DMRB design standards to ensure that road safety on the A1237 will not be compromised.

4.24 It is proposed to access a small proportion of the development via the residential area to the east of the site off Beckfield Lane. There are also several opportunities to introduce new pedestrian and cycle links between the site and Beckfield Lane as part of the scheme.

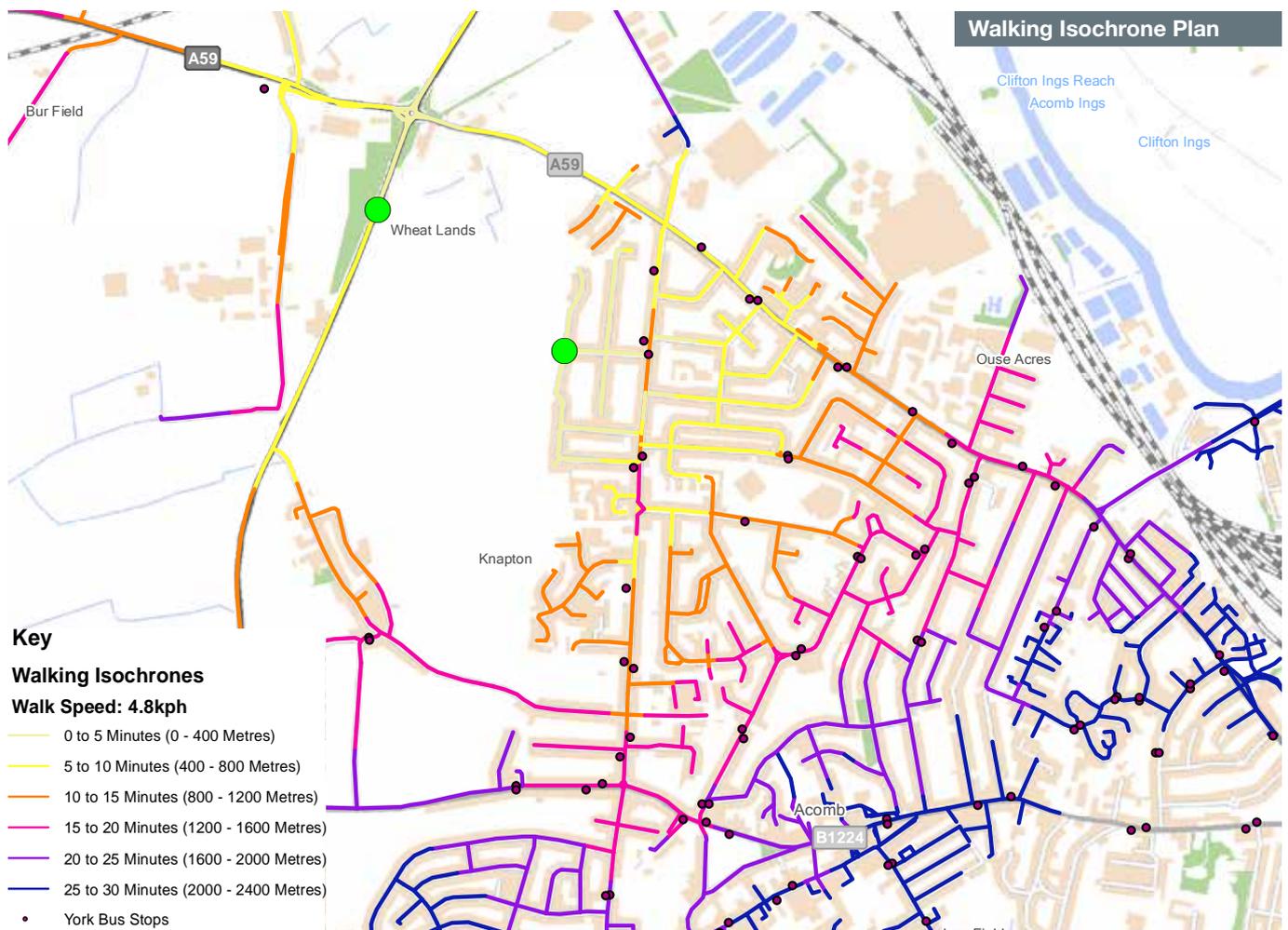
A1237 York Outer Ring Road Improvements

4.25 The A1237 York Outer Ring Road project is identified to improve seven roundabouts on the A1237 for delivery by 2010 - 21. The junction upgrades will be future proofed to enable dualling to the A1237 in the future and the works will have a beneficial impact on the operation of the A1237 as a whole. The A1237 / A59 has already been improved.

4.26 The proposed development of the North Field site would not prejudice these planned improvements. It may be possible for the North Field scheme to make a financial contribution towards the cost of the works or deliver aspects of the works where they are directly related to the proposed development. In

addition, the North Field scheme can dedicate land along the site frontages to facilitate any subsequent dualling of the A1237. This would avoid the need for York City Council to purchase the land and be exposed to the costs, delays and risks associated with Compulsory Purchase Order procedures.

4.27 Overall it is considered that the site is an appropriate and sustainable location for residential development from a highways point of view. Further, there are no justifiable highways or transport reasons that should prevent the granting of planning consent for the proposals.



Flood Risk & Drainage

4.28 A review of the Environment Agency flood maps and the relevant Envirocheck Maps confirms that the site is located flood zone 1, and is therefore deemed not to be at risk of fluvial and ground water flooding. For those sources for which the site could potentially be at risk from, namely land drainage and surface water, additional assessment work has been undertaken to clearly demonstrate that mitigation measures could be included within the development to ensure that these do not pose an unacceptable risk to the scheme. The inclusion of suitably designed surface water drainage systems within the development, for example, will be effective in reducing the risk of flooding.

4.29 The draft Masterplan for the site has been carefully designed to avoid development in areas which are known to flood due to topographic and ground conditions. It also indicates a green swathe of land along the south west portion of the site which could be used for surface water storage. Sustainable Drainage Systems (SuDS) could also be incorporated into the development proposals. Foul water will be drained via conventional means, and subject to adequate network capacity, will not require attenuation to be provided or network upgrade to be implemented.



Ecology

4.30 The site has been subject to an extended Phase 1 habitat survey which included a desktop study to research current biological records and designated sites in the vicinity of the land. A site visit was also undertaken to assess the site's habitats and potential for protected species.

4.31 The survey identified that the land comprises predominantly intensively farmed arable fields, with some smaller grazed semi-improved permanent grassland areas to the south which are species poor; and a group of functional farm buildings, surrounded by bare ground, in the south west. The buildings have the potential to offer some nesting habitat for birds and may also offer opportunities for roosting bats, although their suitability is considered to be low to negligible.

4.32 The existing field margins are typical of arable cultivation, comprising species poor semi-improved grassland at the base of hedge lines and open boundaries. Some tall ruderal vegetation occurs within semi-improved grassland areas, hedgerow gaps and along the open boundaries with ditches in the north-east corner of the site. It is considered that some of these habitats may offer basking and foraging opportunities for reptiles, if a local population is present, however this seems unlikely given the northerly location.

4.33 The site is bounded by a combination of defunct and intact established hedgerows, (generally species poor); on the A1237 road edge; the southern edge of the main arable field; and, the eastern edge adjacent to existing residential area on Sherwood Grove. It is anticipated that these may provide shelter and foraging potential for common widespread birds and dispersal routes for some mammals such as bats and badgers.

4.34 There are no ecological statutory designations or non-statutorily designated sites covering or adjacent to any part of the site.

Arboricultural

4.35 There are a few trees situated along field boundaries to the north of the site, including middle-mature to mature Oak, Ash and Sycamore. They vary in condition, but are mainly categorised as moderate quality (category B) in respect of their individual and landscape value.

4.36 A number of trees are situated in residential gardens and along the roadside verge to the east of the site adjacent Sherwood Grove. Due to their small size and young age they should not represent a constraint to proposals.

4.37 A group of 3 mature Lombardy poplar category B trees are located on the edge of an adjacent amenity field and playground to the south east of the site. They are visually prominent trees due to height and are generally in good condition. A group of early mature buffer planting runs along the same boundary; they form potential screening to the site but comprise several poor quality trees.

4.38 The hedgerow which runs the length of the A1237 boundary provides a dense and valuable natural screen between the public highway and any proposed development.

Heritage & Archaeology

4.39 An Initial Heritage and Archaeology Appraisal has been prepared to assess if there are any likely historic features on the site or within the surrounding area which require consideration as part of any future development of the site.

4.40 The Appraisal has identified that the site is located within an area of known archaeological activity, with the poorly defined cropmarks within the site potentially marking the positions of buried archaeological features of unknown provenance or purpose. A Second World War anti-aircraft battery is located in the centre of the site and ploughed out ridge and furrow (medieval ploughing) is known in the northern and western areas of the site.

4.41 However, as the site has been ploughed for many years, it is unlikely that any archaeology survives sufficiently well to be deemed of national importance and it would therefore be appropriate to agree a mitigation strategy for the excavation and recording of any archaeological remains identified in advance of development as a condition on planning permission, should this be granted. A staged programme of archaeological evaluation would be undertaken to determine the nature, extent, state of preservation and significance of the archaeological remains on the site. This will initially comprise a geophysical survey and be followed by evaluation excavation.

4.42 The nearest heritage assets to the site, namely St Peters Farm Cottage, Farmhouse and Collages (all Grade II) are within Knapton village centre to the south. Due to the distance of the site from the buildings, it would be unlikely that the development of the plot would cause significant harm to the significance of these.

Ground Conditions

4.43 A Phase One Geotechnical Report has identified that the ground conditions at the site are expected to comprise glacial fluvial sands and gravels over Sherwood Sandstone. The site is also located over a Secondary Aquifer which is considered sufficient (c. 50m thick) to offer protection to the underlying Principal Aquifer.

4.44 Contamination on the site is considered to be a low to moderate risk and the limited localised areas of contamination which were identified as potentially being present, namely an infilled sand pit and a heavy artillery battery, would be subject to detailed site investigation and remediation works if necessary.

Technical summary

4.45 Based on the technical information provided, no major constraints have been identified which would inhibit the development of the site for residential uses. The following findings can be highlighted:

Landscape

4.46 The site does not have any specific landscape protection and is not identified as being within an AONB or Special Landscape Area. The impact on views into the site can be mitigated through design, with consideration being given to the landscaping on the western and southern side of the development to provide a sustainable and logical new edge to Acomb without having a significant effect on the Green Belt.

Highways & Accessibility

4.47 The site is in a sustainable location and will be easily accessible by all modes of travel, including pedestrians and cyclists. The primary access to the site will be via a new roundabout off the A1237 and the proposed scheme may contribute to the wider highways improvement works which are proposed along this route.

Flood Risk & Drainage

4.48 The site is not at risk of fluvial flooding and although there is the potential flood risk from surface water and existing land drains, the Site Masterplan has identified that these issues can be successfully dealt with on-site. The adoption of a SuDS based surface water drainage system, for example, could be integrated into the site Masterplan to ensure that the storage requirements of surface water are met whilst minimising the amount of land take required. A strategy of this type would see the introduction of green corridors which would intersect the development and act as pathways for surface water, which in turn would reduce the requirement for conventional and less sustainable underground drainage.

Ecology

4.49 The site does not have any specific designated nature conservation sites on or immediately adjacent to it and no overriding constraints to development have been identified. Additional survey work, for example bat and bird surveys, will need to be undertaken prior to the submission of an application on the site.

Arboricultural

4.50 Due to the limited number of trees and their peripheral location there should be minimal arboricultural constraint to development. The site also provides an opportunity to significantly increase tree cover in the local area and provide a natural buffer from the A1237.

Heritage & Archaeology

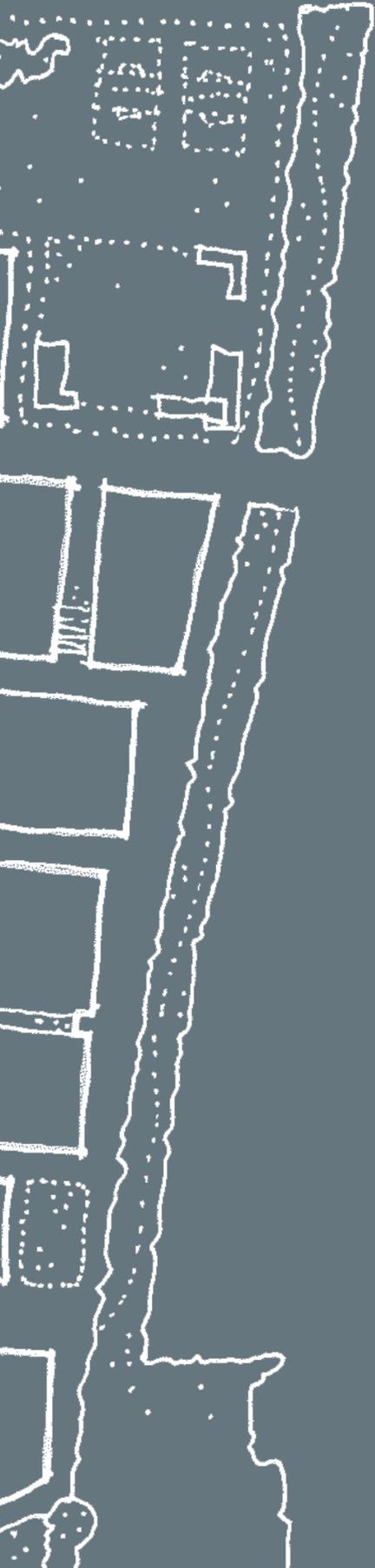
4.51 There are no designated heritage assets within the site and none of those within the immediate vicinity would be affected directly or indirectly by the proposed development. The potential exists for archaeological remains to be present, though none of the known or possible archaeology is considered of national importance. A staged programme of evaluation would be undertaken to allow the preparation of a mitigation strategy, though on the basis of current knowledge there is nothing to preclude this site from development.

Ground Conditions

4.52 The Phase One Geotechnical Report has identified that the contamination risk on site is generally considered to be low to moderate, though additional investigation works are recommended to identify any historical sources of contamination and the location, and potential risk, from the heavy artillery battery.







The opportunity

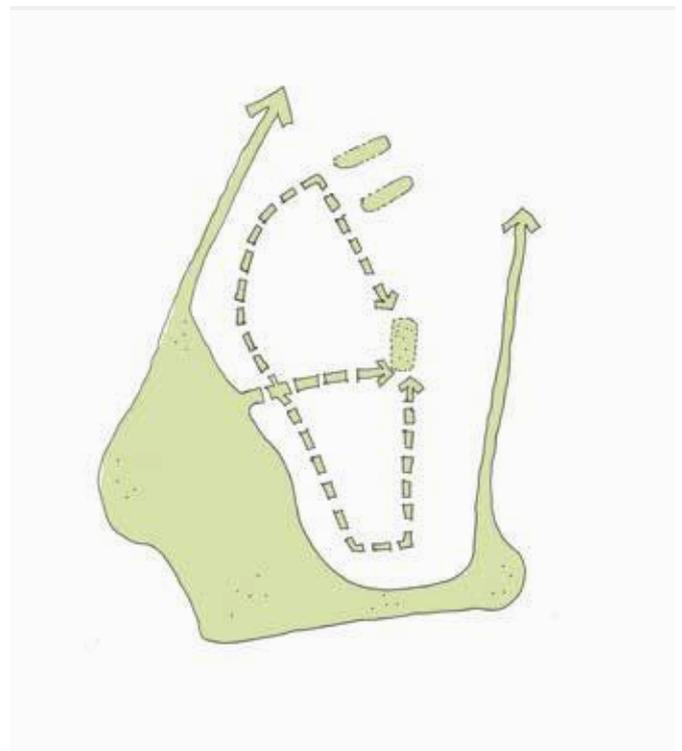
This section focuses on our vision for a responsive and sustainable residential community at North Field.

In order to develop a proposal which is sustainable, deliverable, and locally responsive, it is necessary to demonstrate how development can be accommodated on the site whilst taking on board all the considerations identified in the previous chapter.

5.1 The following diagrams and supporting text explore these matters in the form of spatial steps. These in turn inform an indicative framework which can be tested prior to entering the later detailed stages of the planning and design process. Following this initial design stage we will then be able to enter discussions with key stakeholders including the local planning authority, key consultees and the general public to gain feedback on our approach and ways in which the proposals can be refined further.

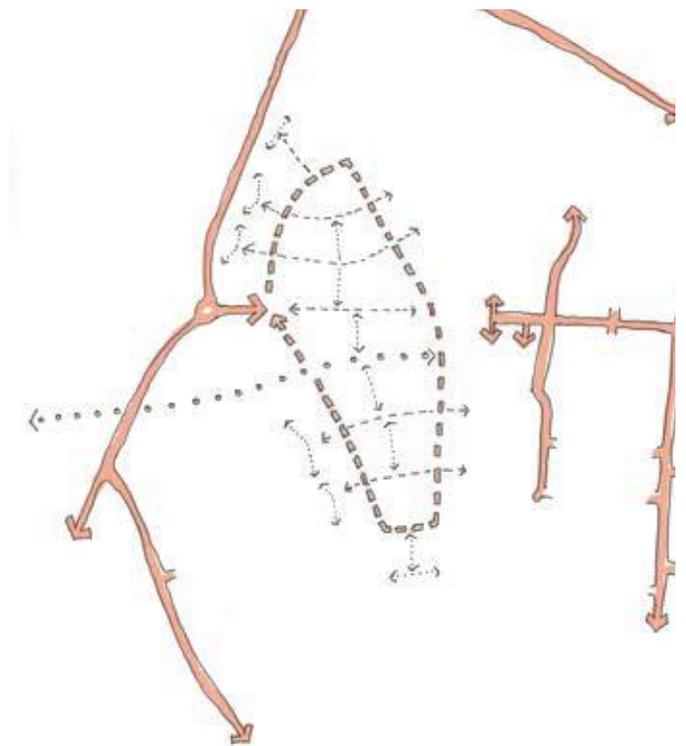
Step One: Green Structure

- The development is wrapped by green space to prevent coalescence with Knapton and provide a soft landscaped edge to the development
- To the eastern edge the green wrap becomes a linear park, providing a buffer and amenity for the existing residents
- To the western edge the green wrap provides a generous buffer to the A1237
- To the south western edge of the site a large swathe of green land is retained as agricultural land
- The primary green street forms a loop within the development and terminates at the new central green space
- Existing tree clusters are retained to the northern edge of the site



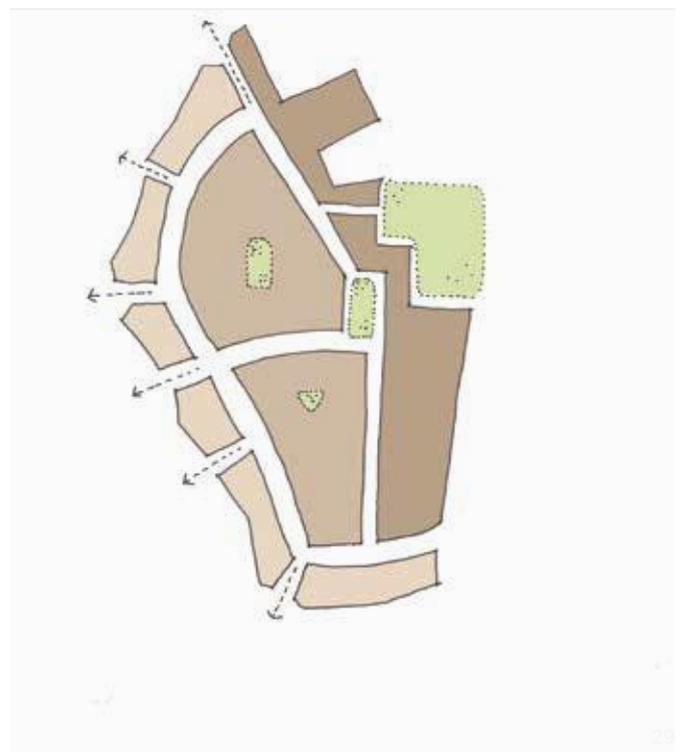
Step Two: Access and Movement

- The existing track is retained providing a pedestrian/cycle connection through the heart of the site
- Primary access is taken from the A1237 along the western edge of the site
- Secondary access is taken from the east off Norman Drive. This access is restricted to serve a small number of new residents as well as serving as an emergency access point.
- An internal primary loop road serves the majority of the site
- Secondary access is provided with a series of east-west streets
- Finally north-south mews streets and lanes provide the tertiary connections



Step Three: Development Parcels

- The parcels follow the established green structure and movement network
- The development follows a very simple structure. Housing parcels along the eastern edge ensure the development is connected to the existing settlement. Larger central parcels sit at the heart of the scheme with smaller fragmented parcels to the western edge connecting the development with the surrounding green space



The Concept Framework

5.2 The key steps come together to create a layered but co-ordinated concept plan. This provides a vision of comprehensive development, but one that is built up by carefully considered steps.

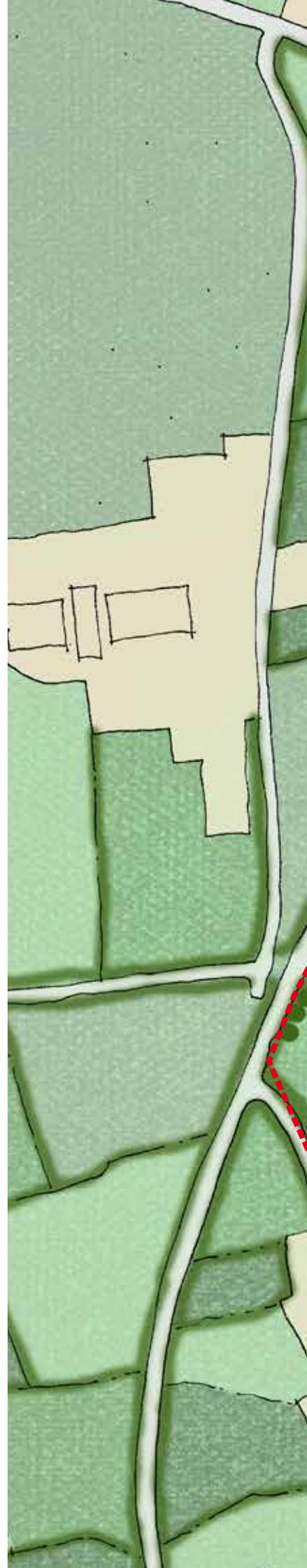
5.3 The framework describes a development structure that could potentially deliver between 750-1,000 dwellings at a net density of 25-35 dph. The framework has been drafted according to the following assumptions:

- The proposed housing mix will respond to local housing need and include a full range of 1, 2, 3 and 4 bedrooms homes and provision of local affordable housing
- Included within the developable area is provision for a new Primary School of circa 2 Ha
- Access is to be provided off the York Ring-road to the west with a secondary and/or pedestrian/public transport only access off existing development to the east
- A landscape buffer of a minimum 250m is accommodated between the proposed development and the village of Knapton
- Provision made to allow for the widening of the Ring-road to the west.

5.4 Detail with regard to materials, planting etc. will be dealt with at the application stages of the planning process, although design details will seek to reflect the rural and historic character of the surrounding area.

Key

1. New traffic junction/round-about constructed within the site to accommodate access off A1237
2. Primary vehicle access into site
3. Secondary public transport only (or limited access/traffic) access into site
4. Enhanced pedestrian footpath/cycleway across site
5. Development block
6. Central green space
7. Indicative location of proposed Primary School
8. Linear park and amenity strip bounding existing properties
9. Green connection with existing public open space
10. Habitat landscape corridor including swales and attenuation basins
11. Planted landscape buffer
12. Re-instated hedgerows
13. Development setback to allow for future widening of the A1237 and accommodate suitable noise mitigation
14. Green wedge between Knapton and development retained as open farmland
15. Retained high quality trees along the periphery of the site.





The development of the North Field site will deliver a range of benefits to York and the community in the local area.

Benefits

Housing Need

6.1 North Field is capable of making an important contribution towards the immediate housing requirements of York. It could deliver up to 1,000 new high quality homes, thereby assisting in the provision of market and affordable dwellings that will help address local need. Gallagher Estates are committed to progressing with the scheme and are keen for the land to be developed quickly.

Housing Mix & Choice

6.2 The site is capable of delivering a mix of open market and affordable housing which are reflective of current and future demographic and market trends and the needs of different groups in the local community. It will provide a variety of new high quality and modern homes of various types, tenures and sizes. A proportion of affordable houses could also be developed on the site which will enhance opportunities for home ownership and enable first time buyers to get onto the housing ladder.

Economic Growth

6.3 The development of the North Field site will provide a welcome boost to the local economy providing new dwellings which will attract additional residents, including working age families, to the local area.

New Jobs

6.4 The scheme has the potential to create significant numbers of new jobs in the construction sector through the supply chain and in related services.

Increased Spending Power

6.5 The creation of new homes will bring new economically active families into Acomb and the wider area, who will spend their disposable income in local shops and services. This will help to support local businesses and increase their vitality and viability.

Increased Revenue

6.6 The new development could help to substantially increase the Council's revenue base, including in terms of Council Tax and New Homes Bonus income.

Environmental Improvements

6.7 The development will incorporate high quality environmental design features which will provide new habitats to increase the biodiversity value of the site, notably along the south western boundary of the site. These will also be accessible to all and enable new formal and informal green spaces which the local community will benefit from and be able to enjoy. The development include also include permeable and legible pedestrian and cycle routes, linking through to the adjacent residential areas of Acomb and the surrounding countryside.

6.8 A strong landscape framework has therefore been developed to provide long-term defendable boundaries, provide a sensitive setting for development, and provide high quality recreational facilities.

Promoting Healthy Communities

6.9 North Field is an ideal location for residential development, immediately adjacent to a vibrant and highly sustainable suburb of York and close to existing community facilities and services.

Infrastructure Delivery

6.10 The development of the site will provide a range of new and expanded infrastructure to ensure that it integrates successfully with the local community and that the new local residents can have access to key facilities in the area.

6.11 This could include investment in new and/or improved:

- Education facilities for primary and secondary children
- Recreational open spaces
- Community facilities
- Health services, including additional places in GP surgeries and dental practices
- Green infrastructure and soft landscaping, including additional tree planting
- Public transport facilities and access changes.

This Vision Document has been prepared by Turley on behalf of Gallagher Estates. It supports and promotes the policy, spatial and sustainability principles of development on the land at North Field in response to York City Council's Draft Local Plan consultation.

7.1 As clearly outlined, the land could enable the delivery of a high quality and sustainable housing-led development which will relate well to the existing local area. It also provides a strategic opportunity to accommodate up to 1,000 new dwellings, along with additional community facilities and infrastructure.

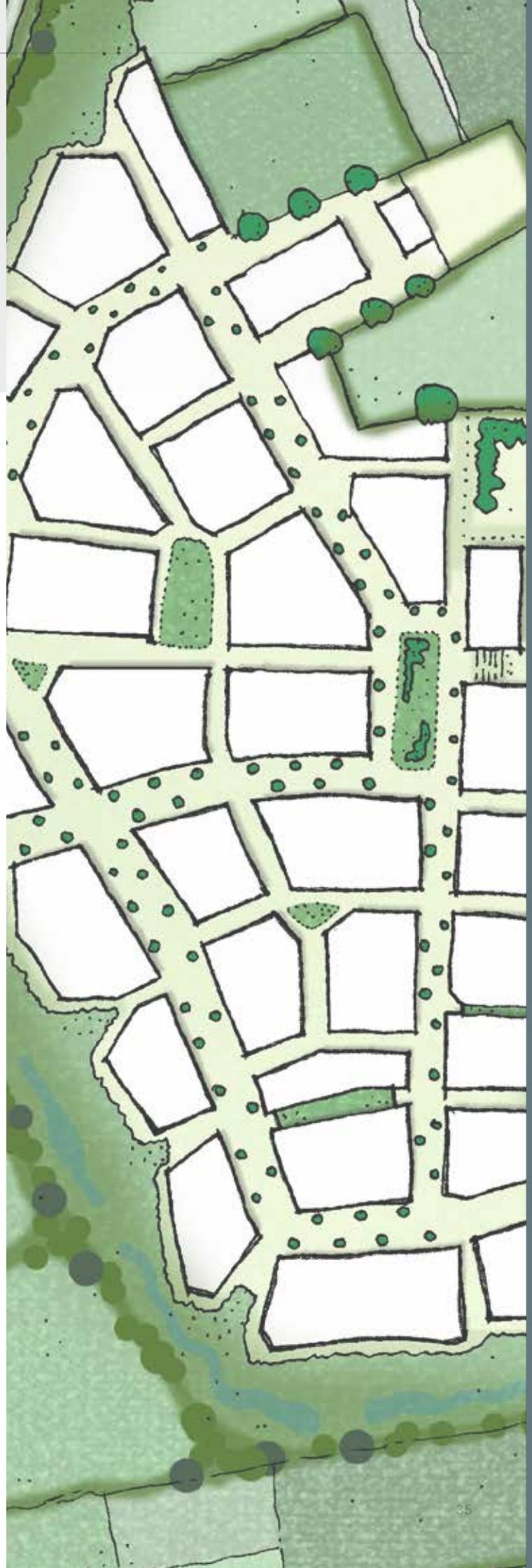
7.2 A thorough assessment of the site's context has been undertaken and it has been demonstrated that the site is both suitable and appropriate for the proposed development. It also represents a deliverable and viable opportunity to provide sustainable housing growth on the north-western edge of York and contribute towards meeting the housing targets within the local area.

7.3 In summary, the Vision Document has demonstrated the following:

- **Policy Context** – The development proposes a sustainable form of development which will help make a significant contribution towards the Council's housing supply position and help deliver wider economic growth and social benefits;
- **Townscape and Context** – The site relates well to Acomb and forms a logical and well-contained extension to the suburban area of York. The A1237 will create a defensible boundary to the west of the site and the proposed retention of the agricultural land to the south will ensure that a sensitive buffer is retained between the development and Knapton village and ensure that the development will result in only minimal harm to the Green Belt;
- **Access** – The site is in a sustainable location, close to local facilities and community services. It relates well to the surrounding area and is fully accessible by car, walking, cycling and public transport modes; and
- **Benefits** – The future development of the site can be delivered whilst retaining and enhancing its specific landscape and ecological attributes. The masterplan also demonstrates that additional areas of public open space and community facilities can be delivered through the release of the land for development.

Next steps...

7.4 Following the submission of this Vision Document and our formal planning representations in response to the Council's Draft Local plan, Gallagher Estates. would welcome engagement with York City Council, local stakeholders and the community including the Parish Council.



For further information contact

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**An Updated Review of the
Objectively Assessed Need for
Housing in York**
Gallagher Estates

October 2017

Turley

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Client
Gallagher Estates
Our reference
GALY3010

16 Oct 2017

1. Introduction

- 1.1 This report has been prepared by Turley Economics on behalf of Gallagher Estates to provide an evidence-based review and critique of the proposed scale of housing provided for within the composite draft Pre-Publication Local Plan (Regulation 18) (hereafter 'the Draft Plan') which was published by City of York Council ('the Council'). This document has been published for consultation to 30 October 2017.
- 1.2 In response to the Council's previous consultation on the Local Plan Preferred Sites Consultation report in September 2016, Turley submitted representations on the evidenced objective assessment of housing need (OAN) on behalf of Gallagher Estates.
- 1.3 It is acknowledged that in publishing the Draft Plan for consultation, the Council has updated its evidence base to take account of the latest available data and representations, including those submitted by Gallagher Estates. The Council's latest published evidence is set out within the '*Strategic Housing Market Assessment – Addendum Update*' ('the SHMA Update') which was published in May 2017.
- 1.4 Gallagher Estates welcome the Council's updating of its evidence base. It is recognised that a higher OAN for 953 dwellings per annum (dpa) has been evidenced within this update, relative to that concluded in the 2016 SHMA (841dpa) and its subsequent addendum (706 – 898dpa).
- 1.5 The identified higher level of need is considered to respond positively to the representations made by Gallagher Estates, and others, on the previous evidence base reports. It is also considered to broadly follow the methodological steps outlined in Planning Practice Guidance (PPG), which continues to represent the most up-to-date guidance for calculating housing need.
- 1.6 However, this report continues to highlight a number of concerns with the evidence base and the scale of housing need identified. These are focused on a number of specific elements of the methodology as applied.
- 1.7 More fundamentally, Gallagher Estates is significantly concerned with the Draft Plan's disregarding of the evidence set out in the SHMA Update. In publishing the Draft Plan, the Council has taken the decision to disagree with its own evidence base document, preferring to revert to a position which only recognises the scale of housing growth represented by the '*starting point*' of the 2014-based sub-national household projections (SNHP). The Draft Plan therefore expressly advances a variant OAN of only 867 dwellings per annum.
- 1.8 This seeks to retain close alignment with the level of need identified and planned for in the previous evidence base documents. As identified within this report, this earlier evidence attracted significant criticism.
- 1.9 This position cannot be viewed as sound. The Council has presented no evidence to justify deviation from the OAN most recently identified in its own evidence base, nor the reasons for preferring its alternative figure.

- 1.10 Furthermore, the timing of this consultation on the Draft Plan in no small part responds to wider events.
- 1.11 In February 2017, the Government published its Housing White Paper (HWP). Through the HWP, the Government reaffirmed its appreciation of the scale of the acknowledged national housing crisis and the need for *'radical, lasting reform that will get more homes built right now and for many years to come'*¹.
- 1.12 On 14 September, the Government published its consultation proposals *'Planning for the right homes in the right places'*. This incorporates a new methodological approach for calculating housing needs, with the Government publishing an indicative OAN for each authority in England. The consultation period runs until 9 November 2017 with the Government setting itself the ambition of incorporating updates to current guidance alongside a revised National Planning Policy Framework (NPPF) in Spring 2018.
- 1.13 Under the standardised method proposed, the indicative figures published by DCLG indicate that York should as a minimum plan to meet a need for 1,070 dwellings per annum over the next decade (2016 – 2026).
- 1.14 It is recognised that the methodology is only published for consultation, and there is no certainty that it will continue to be advanced in its current form or in an adapted form. However, it is apparent that the DCLG's indicative OAN exceeds that concluded in the Council's evidence base to a relatively modest degree and the alternative figure selected by the Council to a much greater extent. Even recognising the limited weight which can be placed on the outcomes of the proposed standardised methodology, this places the Council's purported reduction in its OAN under even starker scrutiny.
- 1.15 Under the DCLG's proposals, the Council would be required – in the absence of an up-to-date Local Plan – to plan on the basis of the standardised methodology from 1 April 2018. The Council's decision to accelerate its plan-making process represents a clear response to this timetable, with the plan to seek to ensure that the submitted Plan is tested against the current guidance.
- 1.16 In this context, this report continues to critique the Council's evidence on the basis of its application of the current PPG methodology. Consideration is, however, given to the implications of the methodology currently being consulted upon by DCLG as considered appropriate.
- 1.17 This report is structured as follows:
- Section 2: The Updated OAN Evidence Base and the Draft Housing Requirement
 - Section 3: Critique of the OAN Evidence and the Implications of the Changing National Policy Context
 - Section 4: Conclusions

¹ DCLG (February 2017), 'Housing White Paper: Fixing our broken housing market' , pg 7

2. The Updated OAN Evidence Base and the Draft Housing Requirement

- 2.1 This section summarises the Council’s latest evidenced OAN for housing and compares it with the evidence previously reviewed in the critique report submitted during the last round of Local Plan consultation.
- 2.2 A summary is also provided as to the Council’s decision to disregard the conclusion of its own evidence base in preference of an alternative figure.

The 2017 SHMA OAN

- 2.3 The SHMA Update asserts that its objective assessment of housing need complies with the NPPF and PPG. It concludes with an OAN of 953 dwellings per annum over the plan period (2012 – 2032).
- 2.4 Table 2.1 compares the latest OAN with that presented within the 2016 SHMA, providing a comparison of the input assumptions and adjustments applied following the PPG methodology.

PPG Methodological Step	2016 SHMA (dpa)	2017 SHMA Update (dpa)
‘Starting Point’	783 (2012-based SNHP)	867 (2014-based SNHP)
Demographic Adjustment	+ 50	+0
Economic Alignment	+0	+0
Market Signals	+ 8	+87
Concluded OAN	841dpa	953dpa

Source: GL Hearn, 2016 & 2017

- 2.5 The increase in the OAN in the latest SHMA Update by some 112 dwellings a year is a result of:
- **An increase in the demographic starting point.** Even with the demographic adjustment in the 2016 SHMA, the underlying level of need associated with projected household growth alone is some 34 dwellings a year higher as a result of the 2014-based SNHP;
 - **A more pronounced adjustment to respond to evidence of worsening market signals.** The scale of adjustment relating to this element is some ten times greater, representing an additional 79 dwellings a year higher.

A Reminder of the Historical Context of the OAN in York

- 2.6 Our previous critique report included a review of the historical position as to the evolution of the calculation of housing need in York and its translation into policy. Whilst this is not replicated here, it is considered important to reflect on:

- The latest adopted housing requirement in York remains based on the Yorkshire and Humber Regional Spatial Strategy (RSS), requiring the provision of 850 net additional dwellings per annum between 2008 and 2026. The evidence prepared to inform this requirement indicates that this represented a target based on constraints, which evidently differs from an objective assessment of need as required through the NPPF where constraints should not be taken into account; and
- The development of the York Local Plan has spanned a number of years, and the Council has produced a significant body of evidence which considers the need for housing in the city. The scale of housing provision has evidently been a critical issue for the development of planning strategy over this time, with progress on an earlier draft – providing an average of 996 dwellings per annum – halted in September 2014 to review the overall housing requirement.

2.7 This provides a clear indication that the scale of need as established through the latest SHMA is not disproportionate to the evidence which has been historically assembled.

2.8 The Council has, however, a continued and clear track record of seeking to avoid planning to fully meet its needs. This reflects the historical context of the RSS which established a requirement which itself did not seek to accommodate full need, albeit within a wider regional framework which ensured that needs were re-distributed and therefore met in full.

The Council's Draft Local Plan 'OAN'

2.9 The Council's Draft Plan references '*technical work*' recently commissioned, implying that '*this work has updated the demographic baseline for York based on the July 2016 household projections*'². The updated demographic baseline of 867 dwellings per annum is referenced. The Draft Plan states that the Council has considered the '*outcomes of this work*' and '*aims to meet an objectively assessed housing need of 867 new dwellings per annum*'.

2.10 As noted earlier in this section, the SHMA Update expressly concludes that an uplift from this baseline to 953 dwellings per annum is needed to respond to '*both market signals and affordable housing need*'. The 867dpa figure referenced in the Draft Plan is only described within the SHMA Update as the '*starting point*' for the assessment and is not representative of – or indeed described as – the OAN for housing in York.

2.11 The Draft Plan entirely omits reference to the OAN for 953 dwellings per annum concluded in the SHMA Update.

2.12 The SHMA Update as published is prefaced by a note drafted by the Council to provide an '*introduction and context to [the] objective assessment of need*'. This acknowledges that the PPG describes '*official projections...as a baseline only*', but proceeds to "accept" only this figure. It is stated that:

² City of York Local Plan – Pre-Publication Draft (Regulation 18 Consultation September 2017), City of York, Paragraph 3.3

“Executive also resolved that the recommendation prepared by GL Hearn in the draft Strategic Housing Market Assessment, to apply a further 10% to the above figure [867] for market signals (to 953 dwellings), is not accepted on the basis that Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations”³

- 2.13 This demonstrates that the Council has dismissed the adjustment applied by its consultants and selected a figure derived from a partial application of the PPG methodology.
- 2.14 The reasonableness of the recommended market signals adjustment is considered further in the next section. Outside of this, however, it is also clear that the Council has directly sought to take account of factors which explicitly fall outside of the OAN process, as specified within the PPG:

“The assessment of development needs is an objective assessment of need based on facts and unbiased evidence. Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints. However, these considerations will need to be addressed when bringing evidence bases together to identify specific policies within development plans”⁴

- 2.15 The inference that ‘*environmental considerations*’ should moderate the Council’s OAN evidently strays into the process of establishing a housing requirement, and is wholly irrelevant in objectively assessing needs.
- 2.16 This is clearly confirmed in legal judgments, which have highlighted that the NPPF requires a two stage process whereby the OAN is first identified before justification is provided as to whether or not this can be accommodated in the establishment of the housing requirement⁵.
- 2.17 The approach taken by the Council is therefore unsound even outside of any consideration as to the technical components of the OAN calculation.

³ City of York Strategic Housing Market Assessment Update, September 2017 (Introduction and Context to Objective Assessment of Housing Need)

⁴ PPG Paragraph Reference ID: 2a-004-20140306

⁵ St Albans City and District Council v (1) Hunston Properties Limited and (2) Secretary of State for Communities and Local Government [2013] EWCA Civ 1610 (CD 5.7); and Hunston Properties v Secretary of State for CLG and St Albans City and District Council (2013). EWHC 2678. (1) Gallagher Homes Limited and (2) Lioncourt Homes Limited v Solihull Metropolitan Borough Council [2014] EWHC 1283.

3. Critique of the OAN Evidence and the Implications of the Changing National Policy Context

- 3.1 As set out in section 1, Turley submitted a technical review of the previous OAN evidence base as part of the last Local Plan consultation.
- 3.2 It is acknowledged that the most recently published SHMA Update has taken into consideration a number of the points raised through this review. Indeed, it is considered helpful that Appendix A to the SHMA Update includes a summary of the points raised by Turley and other parties with regards to the OAN and the action taken to respond.
- 3.3 This section initially considers the points raised in our last review and the response provided in the SHMA Update. A number of points of critique are considered to remain and these are presented with supporting evidence. It is recognised that in large part these relate to the Council's interpretation of the evidence as opposed to the evidence itself.
- 3.4 Before presenting the technical points of critique, the section considers the implications of the Government's ongoing consultation proposals '*Planning for the right homes in the right places*'. It is acknowledged that the consultation period extends beyond the York Local Plan consultation period, and that – given its status as a consultation – it should be given only appropriate weight at this stage. However, it is considered to signal the clear direction of travel the Government is seeking to follow in its realisation of the HWP and wider planning reforms. This will form an important context for the Council in its preparation of a submission version of the Local Plan.

Previous Points of Critique

- 3.5 The OAN technical review previously submitted identified the following key areas of critique in the derivation of the previous OAN of 841 dwellings per annum:
- Insufficient consideration was given to the higher level of need implied by the 2014-based sub-national population projections (SNPP), albeit it was recognised that these were released close to the publication date of the SHMA;
 - The absence of a significant adjustment to the demographic-based projections of need fails to take adequate consideration of the factors which have influenced the past historic period upon which trends are based. Not least, this included a recognition that the city has consistently failed to produce an up-to-date Local Plan and corresponding supply of land to address housing needs;
 - Insufficient detail was provided to appraise the robustness of and justification for applying no uplift to support future job growth. The evidence was considered to suggest that there was a significant risk that the concluded OAN will serve to constrain rather than support the city's forecast economic growth; and

- The SHMA's recommended 1% upward adjustment to respond to a clearly evidenced worsening of market signals was not considered to be justified. A more significant adjustment would be justified by the SHMA's own analysis of market signals.
- 3.6 It is apparent from the review of representations received following the last stage of consultation – as set out in Appendix A to the SHMA Update – that these points of concern and critique were shared by others. Indeed, it is considered of note that twelve responses were received and were considered to provide a detailed challenge to the OAN consultation, of which the response submitted by Turley is listed as one⁶.
- 3.7 It is also noted that within these responses a number of alternative OANs were proposed. For example, an alternative OAN was submitted by NLP on behalf of a consortium of housebuilders, concluding that there is a need for at 1,125 dwellings per annum in York and indeed that a higher figure of 1,255 dwellings per annum would be justified to meet affordable housing needs in full.
- 3.8 Subsequent to the consultation in November 2016, a more up-to-date OAN assessment was also submitted by Regeneris as part of evidence to a recent S78 Inquiry⁷. This concluded that an OAN of at least 1,020 dwellings per annum was reasonable.
- 3.9 The justification for the higher range of housing need in both studies was primarily predicated upon the integration of more up-to-date population and household projections with adjustments applied to respond to evidence of historic under-supply and a worsening of affordability and a more pronounced and separate adjustment responding to market signals.

Consultation on a Standardised Methodology

- 3.10 As referenced in section 1 of this report, the Government published its Housing White Paper⁸ in February 2017. This proposed a range of '*radical reforms*' to respond to the acknowledged national housing crisis, including the introduction of a new standardised method for calculating housing needs to minimise delays in plan-making and ensure that local authorities cannot '*duck potentially difficult decisions*'⁹.
- 3.11 On 14 September, the Government published its proposed methodology for consultation¹⁰. An illustrative figure calculated through the proposed method was also published for each authority in England. The consultation period runs until 9 November 2017, with the Government setting itself the ambition of incorporating updates to current guidance alongside a revised NPPF in Spring 2018.
- 3.12 A simplification is sought through a reduced number of methodological steps, when compared with the existing PPG. The 2014-based household projections remain a '*starting point*', with two subsequent stages applying upward adjustments based on market signals and capping the level of any increase.

⁶ City of York SHMA Addendum (May 2017) – Appendix A), Paragraph 5.12

⁷ APP/C2741/W/16/3149489 – Appendix 1 to the Planning PoE of the Appellant

⁸ DCLG (February 2017), 'Housing White Paper: Fixing our broken housing market', pg 7

⁹ Ibid (p14)

¹⁰ DCLG (September 2017) Planning for the right homes in the right places: consultation proposals

- 3.13 The indicative figures produced by DCLG alongside its consultation document highlight the implications for York, suggesting a need for some 1,070 dwellings per annum. This is derived from household projections over a ten year period (2016 – 2026).
- 3.14 The indicative level of need suggested by the DCLG methodology is evidently some 117 dwellings per annum higher than that concluded in the SHMA Update. However, the scale of difference is even more pronounced when compared with the alternative OAN selected by the Council, being some 203 dwellings per annum higher – an increase of almost a quarter (23%).
- 3.15 Taken over a twenty year period, this would suggest an additional need for in excess of 4,000 dwellings within the city.
- 3.16 As set out above, the DCLG proposed methodology represents a considerably simplified approach. The 1,070dpa figure is calculated based upon:
- A projected growth of 844 households per annum under the 2014-based household projections over the 2016 – 2026 period; and
 - An upward adjustment of 26.7% to respond to market signals. This is calculated using the Government’s formula, recognising that York currently has an affordability ratio¹¹ of 8.27.
- 3.17 The consultation documents also include a proposed process for transitioning to the new methodology. The proposition is that where plans have not been submitted for examination on or before the 31 March 2018 – or the date at which the revised NPPF is published, if later – authorities will be expected to plan on the basis of the outcomes of the standardised methodology.
- 3.18 It is understood that the Council intends to accelerate their programme for submission to ensure that the Plan is submitted in advance of this deadline. It is readily apparent – given the significant length of time taken to date to submit the Local Plan – that this is a direct response to this deadline. The Council is therefore seeking to advance the Plan on the basis of its current evidence, rather than respond to the implications of the DCLG consultation proposals as currently drafted.
- 3.19 It is of note that the DCLG proposals are clear to introduce the standardised OAN as a ‘*minimum*’ position of housing need. Indeed, the consultation documents confirm the expectation that authorities will use the standardised method to establish a minimum level of need, although it is proposed that:

“Plan makers may put forward proposals that lead to a local housing need above that given by our proposed approach. This could be as a result of a strategic infrastructure project, or through increased employment (and hence housing) ambition as a result of a Local Economic Partnership investment strategy, a bespoke housing deal with Government or through delivering the modern Industrial Strategy”¹²

¹¹ Median workplace-based affordability ratio

¹² DCLG (September 2017) Planning for the right homes in the right places: consultation proposals, Paragraph 46

- 3.20 This forms an important context in considering the scale of the economic ambition of the Council and its partners within the wider economic geography within which York operates. A failure to plan positively for new housing in the context of a realisation of the economic growth objectives of the city will place increasing pressure on the housing market, having implications for the affordability of housing and leading to unsustainable commuting patterns.

Updated Technical Points of Challenge on the OAN

Demographic Projections

- 3.21 The approach taken in the SHMA Addendum to consider more fully the 2014-based SNPP is welcomed and responds to the previously raised concern.
- 3.22 The conclusion that the higher implied population growth within this dataset is reasonable and reflective of more recent demographic pressures is also welcomed.
- 3.23 It is agreed as the SHMA identifies that the latest demographic evidence confirms ‘*very strong trends*’ in population growth which would mean that any suggestion of a lower level of growth which ignores these more recent trends would ‘*not be defensible*’¹³. It is also agreed that suggesting a lower level of demographically driven housing need would ‘*risk under-estimating the true housing need in the City*’¹⁴.
- 3.24 It is also agreed that it is appropriate and necessary to take into account evidence of the historic suppression of younger household formation, with this primarily linked to worsening affordability over recent years.
- 3.25 The 2017 SHMA indicates that an adjustment based on their return to rates seen in 2001 would elevate the demographic projection of need to 873 dwellings per annum using the 2014-based SNHP¹⁵. As a minimum this is considered to represent a baseline demographic level of need.
- 3.26 It is noted that this adjustment in isolation indicates a higher level of need than advanced through the Draft Plan (867dpa). This suggests that the Draft Plan fails to provide even for a basic level of demographic housing need.

Market Signals

- 3.27 The 2017 SHMA, as noted in section 2, proposes a more pronounced adjustment to respond to market signals. A 10% adjustment is deemed as being required and reasonable to account for evidence of worsening market signals. A more pronounced uplift is welcomed and responds positively to the points of critique raised previously.
- 3.28 The importance of this adjustment is directly referenced in the SHMA Update’s conclusion which states that the level of need implied by the ‘*starting point*’ projections whilst meeting demographic (and economic) needs:

“...would not however address the City’s affordability issues”

¹³ City of York SHMA Addendum (May 2017), paragraph 2.12

¹⁴ *Ibid*, paragraph 2.13

¹⁵ *Ibid*, Table 3

3.29 The PPG expressly identifies that:

“The housing need number suggested by household projections (the starting point) should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings.¹⁶”

3.30 It also confirms in making a ‘reasonable’ adjustment that:

“The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (eg the differential between land prices), the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be.¹⁷”

3.31 The Government’s current consultation on a standardised methodology for calculating OAN re-asserts the principle as to a need for adjustment to respond to evidence of affordability issues stating:

“There is a longstanding principle in planning policy that assessing an appropriate level of housing must address the affordability of new homes, which means in practice that projected household growth should be adjusted to take account of market signals¹⁸.”

3.32 A mandatory upward adjustment, responding to this aspect, is proposed through Step 2 of the proposed standardised methodology.

3.33 There is therefore a clear existing imperative for the OAN to take full account of issues relating to affordability. The proposed standardised methodology retains this requirement for an adjustment, placing even greater weight on the importance of this aspect in terms of ensuring that housing is ‘delivered in the places where affordability is worst¹⁹.’

3.34 The Draft Plan and the Council’s evidence base both agree that affordability represents an issue for the City. Indeed the Draft Plan recognises in its review of the evidence base the clear indicators of this affordability issue:

“There is a notable affordable housing need in York...In terms of market signals the City of York Strategic Housing Market Assessment and Addendum (2016) (SHMA) reports that by Q2 2016 median house prices in York had reached £225,000 a notably increase on the Q4 2014 position of £195,000. The SHMA also notes that the median private rental data shows a median rental price of £700 pcm for York which compares to the average in England of £650 per calendar month and in the Yorkshire and Humber region of England of £500 pcm. Looking at the relationship between lower quartile house prices and lower quartile earnings indicates that as of 2015 the lower quartile house prices in York are 8.9 times higher than lower quartile earnings.²⁰”

¹⁶ PPG Reference ID: 2a-019-20140306

¹⁷ PPG Reference ID: 2a-020-20140306

¹⁸ DCLG (September 2017) Planning for the right homes in the right places: consultation proposals, Paragraph 19

¹⁹ *Ibid*, Paragraph 21

²⁰ City of York Local Plan – Pre-Publication Draft (Regulation 18 Consultation September 2017), City of York, Paragraph 1.46

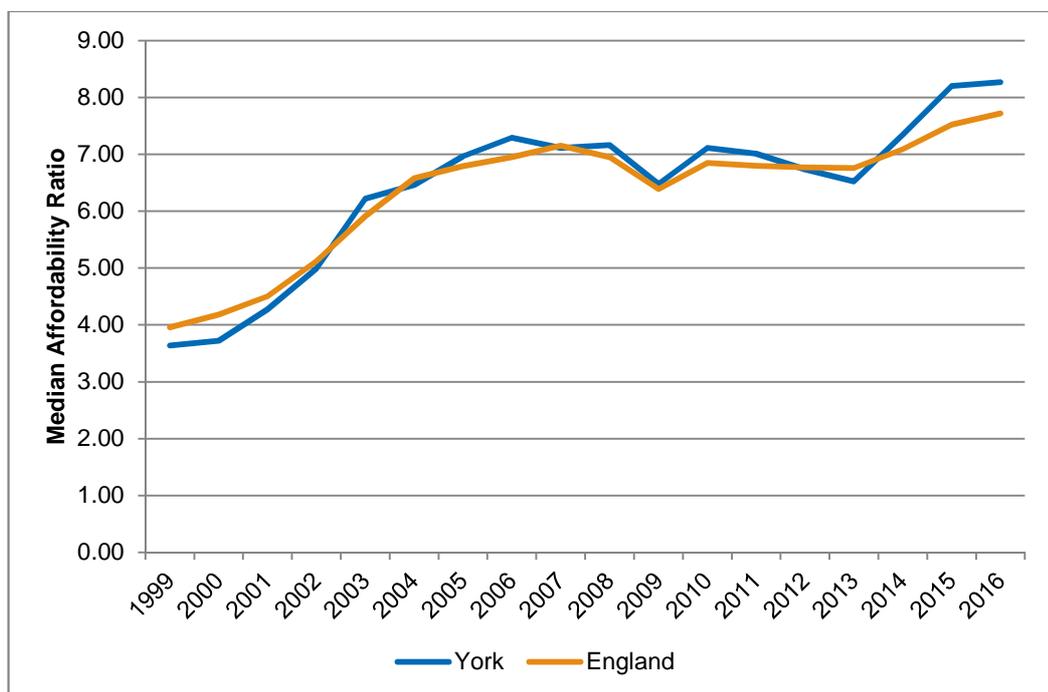
3.35 The ONS published a series of affordability tables covering each authority in England and Wales in March 2017. These include updated analysis for the last year (2016). This highlights that:

- Lower quartile house prices in York were 8.9 times (rounded) residents' lower quartile annual earnings in 2016, increasing from 8.6 in 2015. The median affordability ratio has also risen from 8.2 to 8.3 over the last year; and
- Lower quartile house prices in York were 9.0 times (rounded) workers' lower quartile annual earnings in 2016, increasing from 8.7 in 2015. The median affordability ratio has also risen from 8.2 to 8.3 (rounded) during this period.

3.36 This clearly confirms that affordability issues in York have continued to worsen even over the last year.

3.37 The scale of worsening in affordability is shown when looking at the workplace-based median house price to median earnings ratio back over time as shown in Figure 3.1. This is compared with national figures. This clearly shows a recent rise with the ratio exceeding that seen prior to the recession and confirming the scale of the challenge facing households in the city looking to access the local housing market.

Figure 3.1: Workplace-based Median Affordability Ratio in York and England (1999 – 2016)



Source: ONS, 2017

3.38 Reflecting on the market signals evidence presented in the SHMA Update – as well as the latest datasets – it is considered that a 10% adjustment should be considered as an absolute minimum level of adjustment required. It is considered that there is an

evidenced justification for potentially suggesting a more pronounced adjustment would also be reasonable.

- 3.39 In order to provide a clearer application of the PPG methodology, it is also considered that this adjustment would be beneficially applied separately to the adjusted demographic projection. This would imply a slightly higher level of need for 960 homes each year.
- 3.40 It is noted that this scale of adjustment still falls below that indicated by the draft DCLG standardised methodology, which as noted above is closer to a 27% adjustment. It is considered that this further serves to both highlight the need for such an adjustment and the fact that the SHMA's recommended adjustment falls very much at the lower end of a reasonable response.
- 3.41 It is readily apparent that the Council's decision to simply disregard the justification for any market signals adjustment is clearly at odds with national guidance and its own evidence base and simply ignores the clear evidence of the symptoms of worsening affordability in the latest data. The SHMA Update, as noted above, provides a clear explanation of the justification for an uplift.
- 3.42 It is noted that by implication this adjustment is intended to form part of the response to an identified accumulation of a 'backlog' of some 2,051 units between 2004/05 and 2015/16, which *'is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection'*²¹.
- 3.43 The Council's proposition that no additional need is required to be provided for above the *'starting point'* projection effectively serves to dismiss the implications of this historic failure to provide the homes that were needed. This fails the test of reasonableness and is clearly not justified. The implied reduction in the need must therefore be viewed as unsound.

Employment Growth

- 3.44 It is recognised that the higher implied level of demographic growth represented by the 2014-based SNPP will in turn support a more marked growth in the working-age population²² and therefore the level of labour-force which will likely be available to support employment over the plan period.
- 3.45 The capacity to support employment growth is considered important in accordance with both the PPG and the proposals under the proposed standardised OAN methodology. In the context of York, this is reinforced through the vision outlined in the Draft Plan, which includes a clear economic strand by asserting:

"The Local Plan will enable York to realise its economic growth ambitions as set out within the York Economic Strategy (2016), contributing to a vibrant economy. This will include York fulfilling its role as a key driver in the Leeds City Region, York, North

²¹ City of York SHMA – Addendum (May 2017), Paragraph 3.15

²² The projected growth of the working age population, alongside growth in younger and older households, was illustrated in Figure 4.4 of our previous technical review, with this illustrating the more positive position presented than the previous 2012 SNPP.

*Yorkshire and East Riding Local Enterprise Partnership (LEP) area and the functional York Sub-area. In doing this York will have a key role in leading economic growth and job creation within the local area.*²³

- 3.46 It is, however, noted that the Council continues to take a cautious approach to the scale of job growth which will be achieved over the plan period. The Draft Plan notes:

*“...there are inherent uncertainties in long term economic forecasting and the Plan takes a cautious approach using the baseline forecast to inform the land requirements in the Plan”*²⁴

- 3.47 However, this is immediately followed by a statement of ‘ambition’:

*“However this does not mean that the Council is tempering its economic ambition for the city. It continues to believe that local interventions such as the ‘Growth Deal’ with Government will promote faster growth in key sectors and there is flexibility in the Plan’s allocation of sites to accommodate this”*²⁵

- 3.48 It is considered that whilst the SHMA evidence confirms that the forecast levels of employment growth can be supported by the OAN, the Council should provide a greater level of clarity as to the justification for its selection of a comparatively low employment target against the backdrop of an apparently more ambitious economic strategy.

- 3.49 In our previous technical report, we raised concerns around the lack of transparency in the assumptions applied in assessing the balance between job growth and labour-force growth in the demographic projections. It is disappointing that no further information has been provided in this regard. Whilst – as set out above – it is recognised that the comparatively strong growth in population would reasonably be anticipated to support the ‘baseline’ level of employment growth supported by the Council, the absence of this information presents a challenge in understanding the extent to which it could act as a constraint on more ambitious levels of employment growth in the future.

- 3.50 The response to this issue provided in Appendix A to the SHMA Update is not considered to be sufficient in this regard. Reference is made to the outputs of the modelling being ‘*integrated within the forecasts*’. As we highlighted in our previous technical review, this indicates a level of adjustment which may or may not appear reasonable in the context of the current and anticipated operation of the labour market. A greater level of transparency would have significant benefits in reassuring on this point.

²³ City of York Local Plan – Pre-Publication Draft (Regulation 18 Consultation September 2017), City of York, Paragraph 2.1

²⁴ City of York Local Plan – Pre-Publication Draft (Regulation 18 Consultation September 2017), City of York, Paragraph 1.36

²⁵ *Ibid*

4. Conclusions

- 4.1 This report has been prepared by Turley Economics on behalf of Gallagher Estates to provide an evidence-based review and critique of the proposed scale of housing provided for within the composite draft Pre-Publication Local Plan (Regulation 18) ('the Draft Plan'). This follows representations submitted by Turley in response to the Council's previous consultation in September 2016.
- 4.2 It is acknowledged that the Council has updated its evidence base to support the development of the Draft Plan, taking account of the latest available data and representations including those submitted by Turley on behalf of Gallagher Estates. The Council's latest published evidence is set out within the '*Strategic Housing Market Assessment – Addendum Update*' which was published in May 2017.
- 4.3 Gallagher Estates welcomes the Council's updating of its evidence base. It is recognised that a higher OAN for 953 dwellings per annum (dpa) has been evidenced within this update, relative to that concluded in the 2016 SHMA (841 dpa) and its subsequent addendum (706 – 898 dpa).
- 4.4 The higher level of need identified is considered to respond positively to the representations made by Gallagher Estates, and others, on the previous evidence base reports. It is also considered to broadly follow the methodological steps outlined in Planning Practice Guidance (PPG), which continues to represent the most up-to-date guidance for calculating housing need.
- 4.5 At a fundamental level, Gallagher Estates is significantly concerned with the Draft Plan's **disregarding of the evidence set out in the SHMA Update**. In publishing the Draft Plan, the Council has taken the decision to disagree with its own evidence base document, preferring to revert to a position which only recognises the scale of housing growth represented by the '*starting point*' of the 2014-based sub-national household projections (SNHP). The Draft Plan therefore expressly advances a variant OAN of only 867 dwellings per annum, and entirely omits reference to the OAN for 953 dwellings per annum concluded in the SHMA Update.
- 4.6 This demonstrates that the Council has dismissed the adjustment applied within its evidence and selected a figure derived from a partial application of the PPG methodology. In justifying the advanced OAN the Council has made a clear inference that environmental constraints in particular should moderate the Council's OAN. This evidently strays into the second part of a two stage process in establishing a housing requirement, and is wholly irrelevant in objectively assessing needs as confirmed through legal judgments. **The approach taken by the Council is therefore unsound even outside of any consideration of the technical components of the OAN calculation.**
- 4.7 A technical review of the OAN concluded in the latest SHMA justifies its resultant increase in the OAN for York, indicating that its concluded need for 953 dwellings per annum at best represents the minimum level of need which should be planned for. This is considered on the basis that:

- **The 2014-based sub-national population projections (SNPP) represent an appropriate ‘starting point’ in projecting housing need**, as advocated in our previous representations. However, the SHMA Update continues to indicate that a return to higher levels of younger household formation would elevate the need for housing implied by the 2014-based household projections to 873 dwellings per annum. As a minimum, this is considered to represent a baseline demographic need for housing;
 - **A 10% uplift is the absolute minimum level of adjustment required to respond to evidence of worsening market signals.** It is considered that a more pronounced adjustment could be reasonably justified by the evidence. Furthermore, a clearer application of the PPG methodology would apply this uplift to the adjusted demographic projection (873dpa), implying a slightly higher need for 960 dwellings per annum; and
 - Although the stronger population growth suggested by the 2014-based projections would be likely to grow the labour force and support job creation in York over the plan period, **greater clarity should be provided on the Council’s justification for selecting a comparatively low employment target** in the context of its apparently more ambitious economic strategy. It is also disappointing that the SHMA Update fails to provide any further technical clarification on the modelling assumptions used to check the alignment between job growth and housing need, and further transparency in this regard would ensure that the vision for economic growth is not constrained by labour availability.
- 4.8 The above strongly challenges the Council’s assertion that there is no justification for uplifting housing need beyond the demographic ‘starting point’, or indeed that there is justification for deviating from the evidenced conclusions of its SHMA Update. This position effectively serves to dismiss the implications of an historic failure to provide the homes that are needed in York, is clearly not justified and fails the test of reasonableness. The implied reduction in housing need is therefore unsound.
- 4.9 The OAN referenced in the Draft Plan fails to fully comply with the PPG, which remains the most up-to-date guidance on the approach to be followed in objectively assessing housing needs. It is evident that the Council has sought to accelerate its plan-making process to ensure that its Local Plan is tested against this guidance, in preference to the outcome of the new methodology currently being consulted upon by DCLG. The latter is intended to form the basis for Local Plans submitted from 1 April 2018, or from publication of the new NPPF if later.
- 4.10 The new methodology proposed by DCLG indicates a higher need for 1,070 dwellings per annum in York. This relatively closely aligns with the evidence presented in this report, which indicates a need for close to 1,000 dwellings per annum in the city. In the context of this proposed change in guidance – and the technical points identified above – it is strongly suggested that the Council should be planning to accommodate closer to 1,000 dwellings per annum. The Council’s attempt to justify an OAN of only 867 dwellings per annum is therefore unjustified, strongly challenged and must be revised prior to submission of the Local Plan in order for the housing figure to be found sound.

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From: Brigadier I G McKend CBE

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Reference: SAPT/ASHC

28 Oct 16

Dear Mike

I undertook to outline the position regarding the future plans for the Ministry of Defence (MOD) Ashchurch site. I am aware that there has been an expectation, following previous communications, that the whole site, albeit in phases, would be disposed of by MOD in due course.

At present Ashchurch contributes primarily to military capability by providing a storage and support facility for vehicles and specialist equipment. A recent assessment relating to last year's Strategic Defence and Security Review has now confirmed that there is a continued Defence requirement for specific purpose buildings and hard-standing space within Ashchurch site for at least the next 10 years. Realistically this means that MOD intends to retain all but the eastern section of the site. The attached diagram provides an overview of the approximate area of the site that should come forward for housing, amounting to some 15.8 hectares.

The precise boundary of the land to be released is subject to confirmation, following consideration of a range of detailed factors including, for example, road and fence routing. This detailed work has now been set in train, with the intent to maximise the opportunity for future housing delivery. At this point in the development process, the future housing trajectory for this phase of up to 550 houses is expected to slip a little further to the right than previously recorded. A suggested trajectory is shown in the attached table. I have also included the timeframes that were proposed under the original phase 1 programme by way of comparison. Subject to planning, market conditions and other factors, there is a possibility that development land may come available earlier than the revised trajectory but it is too early to consider this a safe planning assumption.

I recognise that the release only of Ashchurch East will undoubtedly impact upon the total housing numbers and timings that were initially anticipated and previously submitted through the 'Statement of Common Ground' to the Joint Core Strategy examination. We will continue to work with you and your team to minimise this impact wherever possible, for example to see how access to neighbouring development sites might best be facilitated.

Trusting that a satisfactory outcome can be reached,

Best wishes, Iain

Enclosures:

1. Illustrative plan of Ashchurch East disposal area.
2. Forecast trajectory of housing development on land released from Ashchurch site.

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Disposal Land: Ashchurch East (Up to 15.8 hectares)

- Assumed space for up to 550 dwellings
- Subject to boundary detail confirmation
- Possible standoff requirement from retained sheds to be determined



Defence
Infrastructure
Organisation

Enclosure 1
To SAPT/ASHC
Dated 28 Oct 16



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Enclosure 2
 To SAPT/ASHC
 Dated 28 Oct 16

Forecast Trajectory of Housing Development on Land Released from Ashchurch Site

	JCS Period Delivery	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
Previous Position*	{2225}	50	75	100	150	175	175	175	225	225	200	200	175	150	150
MOD Land Phase 1**	{600}				25	50	100	100	100	100	100	25			
Release of Ashchurch East	550 Revised Forecast							25	75	110	175	165			

* Previous position as per the agreed Statement of Common Ground submitted to the JCS examination

** Based upon the Council's standard delivery rates with two outlets for Phase 1 and a further two for phase 2

Over the coming weeks further work will be undertaken to confirm the expected housing trajectory and this will be shared with the Council at the earliest opportunity.

Sustainability Appraisal of land at North Field

- (i) SA objective 1: To meet the diverse housing needs of the population in a sustainable way: Land at North Field is able to accommodate up to 1,000 new high quality private and affordable homes on the edge of the residential settlement of Acomb. In addition to a range of facilities within 1km of the site, Acomb District Centre is located within walking distance of the site which has additional services and facilities. Overall it is considered that Land at North Field will have a *significant Positive* effect on this SA objective.
- (ii) SA objective 2: Improve the health and well-being of Yorks population. A strong green infrastructure network will be provided within the site to provide recreational opportunities and opportunities for cycling and walking. Residents will also have access to health facilities within Acomb which are accessible by public transportation. The land is largely greenfield with no contamination sources identified at this time. Some temporary negative effects may occur during the construction phase these will be largely mitigated through the use of a Construction and Environmental Management Plan (CEMP). Overall it is considered that Land at North Field will have a long-term *Positive* effect on this SA objective.
- (iii) SA Objective 3: Improve education, skills development and training for an effective workforce. The indicative masterplan provided within the Vision Framework¹ provides an indicative location of a primary school for residents. In addition there are primary and secondary schools within walking distance of the site in addition to nursery provision within Acomb. There will therefore be a strong education provision as a result of the Proposed Development and overall considered that Land at North Field will have a *significant Positive effect* on this SA objective.
- (iv) SA Objective 4: Create jobs and deliver growth of a sustainable, low carbon and inclusive economy. The economic benefits of new housing are well known with Land at North Field able to generate a significant number of jobs during the construction and operational phases of development. There will be a range of direct and indirect economic benefits to the local community and businesses through the construction of new housing and the increased spending from residents. Overall it is considered that Land at North Field will have a long-term *Positive* effect on this SA objective.
- (v) SA Objective 5: Help deliver equality and access to all. Land at North Field is in close proximity to the ward of Westfield which is within the top 20% deprived wards in the country. Locating a significant residential development within close proximity to this ward is likely to have significant regeneration benefits to tackle the deprivation issues. Overall it is considered that Land at North Field will have a *significant Positive* effect on this SA objective.
- (vi) SA Objective 6: Reduce the need to travel and deliver a sustainable integrated transport network. As stated within the previously submitted representations,

¹ North Field, Land to the East of the A1237. Vision Framework. Turley on behalf of Gallagher Estates Ltd

locating residential development on the West of York is likely to reduce_cross commuting (and therefore congestion and air pollution) given that_29% of commuting from York is to Harrogate and Leeds which is on the West of the City. Furthermore the West of the City benefits from significantly better transport connections.

There are several opportunities to introduce cycling and pedestrian links from the site to the wider area along with the provision of other sustainable transport options including the nearby Park and Ride facility at Poppleton Bar and regular local bus services within 500m walk of the site. On this basis it is considered that Land at North Field will have a *significant Positive* effect on this SA objective.

- (vii) SA Objective 7: To minimise greenhouse gases that cause climate change and deliver a managed response to its effects. The development will be designed to meet national and local sustainable design and construction policy which will prioritise a 'fabric first' approach to construction that will focus on reducing energy use through efficiency measures and fabric. In addition, the sustainable location of the site in combination with the opportunities for walking, cycling and the nearby Park and Ride will encourage a reduction in private care use and associated emissions. It is acknowledged however that the construction of the new dwellings will result in carbon emissions. Overall therefore it is considered that Land at North Field will have negative short term impacts and Positive long term impacts on this SA objective.
- (viii) SA Objective 8: Conserve or enhance green infrastructure, biodiversity, geodiversity, flora and fauna for accessible high quality and connected natural environment. An ecological survey indicates that the site is of low ecological value with the potential for birds and bats although this is considered to be of low to negligible probability. There are no statutory or non-statutory ecologically sensitive sites on or adjacent to the site. The proposed multi-functional Green Infrastructure network in combination with the use of Sustainable Urban Drainage Systems provides the opportunity to maintain and potentially enhance the biodiversity performance. Overall therefore it is considered that Land at North Field will have a Positive long term impact on this SA objective.
- (ix) SA Objective 9: Use land resources efficiently and safeguard their quality. Land at North Field is currently used for agricultural purposes and given the high grade land around York a similar sustainability performance to SS9 and SS10 is assumed.
- (x) SA Objective 10: Improve water efficiency and quality. All additional residential development will increase water consumption within the City of York however Land at North Field will contain a number of water efficiency measures to reduce consumption where practicable. Overall therefore it is assumed that there will be a *negative* effect on this SA objective.
- (xi) SA objective 11: Reduce Waste generation and increase level of reuse and recycling. During the operational and construction phases waste would be generated despite the use of mitigation measures and therefore a *negative* impact is assumed on this SA objective.

- (xii) SA Objective 12: Improve air quality. The site is not within an AQMA but will generate traffic as a result residential development which, in turn, is likely to impact upon air quality despite the use of mitigation measures. A range of sustainable transportation options will be provided to residents which will include walking, cycling and the nearby Park and Ride. The potential for a reduction in cross-commuting through York by locating residential development closer to key destination such as Leeds and Harrogate is also significant and therefore it has been assumed that there will be a impact on this SA objective.
- (xiii) SA Objective 13: Minimise flood risk and reduce the impact of flooding to people and property in York. The site predominantly within Flood Zone 1 and therefore at low risk of flooding. The use of SuDS will be a priority for the site will be a priority. Overall therefore it is assumed that there will be no *significant negative or Positive* effect upon this SA Objective.
- (xiv) SA Objective 14: Conserve or enhance York's historic environment, cultural heritage, character and setting. There are no designed heritage assets within or close to the proposed development that would be negatively affected by the proposaals. An archaeological desktop study indicates that archaeology may be present but is unlikely to be of national importance nor preclude the site from development. Overall it is considered that Land at North Field will have no significant negative or Positive impact upon this SA objective.
- (xv) SA Objective 15: Protect and enhance York's natural and built landscape. The site does not have any specific landscape protection and is not identified as being within an AONB or Special Landscape Area. High quality design will be a focus for the proposals which will minimise any impact upon the landscape. Of critical importance to the suitability of the site is the absence of any views of the York Minster from this side of the city thereby removing any potential impact. This is of particular importance given the function of Green Belt within York is to protect the views of the York Minster. Overall therefore it is considered that there will be a minor negative or neutral impact upon the landscape from the proposed development.

Sustainability Appraisal of selected proposed Draft Local Plan allocations

Sustainability Appraisal Objectives		To meet the diverse housing needs of the population in a sustainable way	Improve the health and wellbeing of York's population	Improve education, skills development and training for an effective workforce	Create jobs and deliver growth of a sustainable, low carbon and inclusive economy	Help deliver equality and access to all	Reduce the need to travel and deliver a sustainable integrated transport network	To minimise greenhouse gases that cause climate change and deliver a managed response to its effects	Conserve or enhance green infrastructure, biodiversity, geodiversity, flora and fauna for accessible high quality and connected natural environment	Use land resources efficiently and safeguard their quality	Improve water efficiency and quality	Reduce waste generation and increase level of reuse and recycling	Improve air quality	Minimise flood risk and reduce the impact of flooding to people and property in York	Conserve or enhance York's historic environment, cultural heritage, character and setting	Protect and enhance York's natural and built landscape								
ST7	East of Metcalfe Lane	++	+	-	+	-	+	+	+	-	+	-	+	-	--	-	-	-	0	-	-	--	-	--
ST8	Land North of Monks Cross	++	+	-	+	-	+	++	+	-	+	-	-	-	--	-	-	-	0	0	-	0	-	-
	Land at North Field	++	+	-	++	++	+	++	++	++	+	-	+	+	--	-	-	0	0	0	0	0	-	-
		++	The policy is likely to have a significant positive effect on the SA objective																					
		+	The policy is likely to have a positive effect on the SA objective																					
		0	No significant effect / no clear link between the policy and the SA objective																					
			Depends upon Policy Implementation (applied to GIS Assessments)																					
		?	Uncertain or insufficient information on which to determine effect on the SA objective																					
		-	The policy is likely to have a negative effect on the SA objective																					
		--	The policy is likely to have a significant negative effect on the SA Objective																					

LOCAL PLAN EXAMINATIONS CAMBRIDGE CITY and SOUTH CAMBRIDGESHIRE

INSPECTOR: Laura Graham BSc MA MRTPI
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Our Ref: CCC/SCDC/Insp/Prelim
Your Ref:

20 May 2015

Mrs S Saunders
Planning Policy Manager
Cambridge City Council

Mrs C Hunt
Planning Policy Manager
South Cambridgeshire District Council

Dear Mrs Hunt and Mrs Saunders

Cambridge City Local Plan Examination and South Cambridgeshire District Local Plan Examination

At the Joint Pre Hearing Meeting we indicated that we would advise you of any serious concerns as soon as possible, rather than waiting for the end of the examinations hearings. Having now held hearing sessions on issues relating to the development strategy, Green Belt, transport and housing delivery, we have identified some issues which we consider need to be addressed at an early stage. In accordance with the wishes of the Councils, and the general guidance for civil servants regarding controversial issues in the pre-election period, we have not been able to provide this letter at an earlier date. These comments should be considered as preliminary conclusions and are made without prejudice to the content of our final report.

Overall development strategy

The Cambridge and South Cambridgeshire Sustainable Development Strategy Review (SDSR)(RD/Strat/040) states that "the main aim of the existing development strategy in adopted plans is to enable genuinely sustainable development that balances economic, social and environmental needs". It notes that this is the central purpose of the planning system as set out in the National Planning Policy Framework, and that existing development plan proposals which remain deliverable will be carried forward into the updated plans. It further states that the question for the (local plan) reviews is the extent to which additional (our emphasis) development allocations contribute to this overarching objective.

Section 4 of the SDSR outlines the existing approach to the location of development and considers how each of the options performs against the sustainability considerations set out in section 3 of the document. Amongst other things it is noted that locating development on the urban edge has significant advantages in sustainability terms and that key considerations in assessing the suitability of specific locations will be any potential conflict with Green Belt purposes and the deliverability of infrastructure improvements. The consideration of new settlements finds that "depending on their overall scale new settlements should be sustainable due to their self- containment..." However, the assessment notes the various challenges to the delivery of self-contained settlements and that out-commuting to workplaces and other facilities and services is likely.

The National Planning Policy Framework affords a high degree of protection to the Green Belt. The letter from Nick Boles MP to Sir Michael Pitt dated 3 March 2014 notes that it has always been the case that a local authority could adjust a Green Belt boundary through a review of the Local Plan. The letter goes on to state that it must always be transparently clear that it is the local authority itself which has chosen this path. In the case of Cambridge City and South Cambridgeshire District the two authorities have individually and jointly undertaken a review of the inner Green Belt boundary during the course of plan preparation and concluded that a very small number of sites should be released to meet housing and employment needs.

A number of respondents have questioned the methodology employed in the Green Belt Review and we have found it difficult, in some cases, to understand how the assessment of 'importance to Green Belt' has been derived from the underlying assessments of importance to setting, character and separation. For example, sector 8.1 is given a score of 'high' with regard to importance to setting, and 'medium' with regard to importance to both character and separation, but the importance to Green Belt is then scored as 'very high'. Sector 8.2 is given a score of 'low' for importance to both setting and character, and 'negligible' in relation to separation but yet is given an overall score of 'medium'. These areas are referenced only as examples of the methodology, not as any indication that we consider that they are suitable for development.

Whatever the shortcomings of the Green Belt Review may be, the Councils accept that it does not take account of the need to promote sustainable patterns of development, as required by paragraph 85 of the National Planning Policy Framework. In response to our question on this point under Matter 6Aiii, the Councils indicated that this requirement had been taken into account in the wider evidence base across a range of documents. Following a further request the Councils provided a more detailed Note of where this information could be found. The Note provides more detailed references across a significant number of documents, but this kind of paper trail does not aid clear comprehension and we have found it difficult to understand how the various dimensions of sustainable development were assessed in accordance with the requirements of paragraph 85 of the National Planning Policy Framework.

It might be expected that such an exercise would be carried out through the SEA/SA process. However, larger releases of Green Belt land to meet development needs were rejected at an early stage in the process of sustainability appraisal. No further consideration was given to a number of proposals for development on the urban edge on the grounds that these could not be considered as reasonable alternatives. Bearing in mind the conclusions of the SDSR and the apparent shortcomings of the Green Belt

Review (see above) we have significant concerns regarding the robustness of the SEA/SA process.

The assertion that 55% of the housing requirement of both Councils from 2011 to 2031 will take place in the urban area or the edge of Cambridge can only be demonstrated by including commitments carried forward from previous Plans. If the allocations that are new to these Plans are considered, then the figures, taken from paragraph 2.21 of the South Cambridgeshire Local Plan, are as follows:

Sites in the urban area	3,324	36%
Sites on the edge of the urban area	530	6%
New Settlements	4,370	48%
Villages	895	10%

A situation where almost half of new allocations are at the third tier of the sequence does not appear to support the contention that the Plans accord with the SDSR.

Of course, the SEA/SA process is not a wholly mechanistic one, as much depends on the weight to be given to the various dimensions of sustainability. It may be that the Councils take the view that protection of the Green Belt should outweigh other considerations. In our view, however, the way in which weight has been attributed in coming to that decision should be clearly set out without the need to trawl through so many documents. In addition, if the Green Belt is to be protected, the plans should make it clear that the Sustainable Development Strategy will not be pursued beyond the completion of existing commitments and the very limited releases of Green Belt proposed through the Plans currently under examination.

Furthermore, if development is to be directed to new settlements rather than the edge of the urban area, it needs to be clear that the challenges of making such development as sustainable as possible have been addressed, in particular infrastructure requirements and sustainable transport options. Evidence presented to the Examination so far indicates that there is a significant funding gap in relation to infrastructure provision. In some cases, the ways in which infrastructure requirements will be met are still at a very early stage of consideration. For example, at the hearing into Matter 7 it was suggested that the segregated bus link to serve proposed development at Bourn Airfield (policy SS6) may be pursued via an off-line route, but little work has yet been done on the feasibility of, or options for, such a scheme. The likely difficulties of land assembly, apart from any other considerations, could well have significant implications for cost and timing which are as yet unknown. We are aware that this development is not expected to come forward until the latter part of the plan period (post 2022) and that an AAP is to be prepared. Nonetheless, the lack of evidence available at this stage does not provide any reassurance that the Plans will deliver sustainable development bearing in mind the reservations expressed in the SDSR. It was also suggested that some development could come forward at Bourn in advance of the provision of the segregated bus route but the Councils were unable to say how much could be provided in advance of the infrastructure requirements identified in Policy SS6.

To summarise, we are concerned that an apparent inconsistency between the SDSR and the Plans' reliance on meeting development needs in new settlements may lead to a finding of unsoundness. Without further work we are not confident that we could recommend modifications to overcome these concerns.

Objectively assessed need for new housing

The SHMA methodology for assessing the need for new housing is not entirely consistent with Planning Practice Guidance, as it does not use national household populations as the starting point for the assessment. However, the Councils have explained that the national household projections for the Cambridge area are implausibly low due to the migration methodology used. A number of representors have concurred with this view, even though they may not agree with the final figures in the SHMA assessment (14,000 new homes in Cambridge City and 19,000 in South Cambridgeshire). Alternative assessments of need, using different methodologies, have been promoted by some representors and these indicate that the level of need may be around 43,000 new homes across the two authorities. Planning Practice Guidance notes that no single approach will provide a definitive answer. In these circumstances, it may be concluded that the SHMA Assessment is at the lower end of the likely range of possible levels of need to 2031. However we are concerned, in particular, that the Councils approach to the establishment of the full objectively assessed need has not fully taken into account the advice in the Planning Practice Guidance regarding market signals, particularly in relation to affordability.

From the discussion at the hearing, it seems to be generally accepted that there is a chronic shortage of affordable housing in Cambridge, even taking into account the Councils' recent updating of the SHMA following the review of the housing registers. There is no evidence before us that the Councils have carried out the kind of assessment of market signals envisaged in the Guidance; or considered whether an upward adjustment to planned housing numbers would be appropriate. It is not, in our view, adequate simply to express doubts as to whether such an upward adjustment would achieve an increase in the provision of affordable housing (which appeared to be the approach taken by the Councils at the hearing), or to suggest, as in the Councils' Matter 3 Statement, that this could only be tackled across the HMA, rather than in individual districts. There should be clear evidence that the Councils have fully considered the implications and likely outcomes of an upward revision in housing numbers on the provision of affordable housing.

The DCLG 2012-based household projections were published in late February 2015 after the relevant hearing had taken place and notwithstanding the comments in your Matter 3 statement that these projections would not have any implications for objectively assessed housing need, we are asking you to consider whether the 2012 based household projections suggest a different level of need and if so, how big is the difference and does it indicate that further modifications should be made to the Plans. We will also be seeking the views of those who made relevant representations on this issue.

Conformity with Revisions to National Planning Policy

You will be aware of two recent Written Ministerial Statements (WMS). The WMS by Brandon Lewis MP dated 28 November 2014, and consequential amendments to Planning Practice Guidance, has implications for the provision of affordable housing on small sites (less than 10 dwellings). Aspects of Policy 45 of the Cambridge City Local Plan and Policy H/9 of the South Cambridgeshire Local Plan do not appear to accord with the WMS.

The WMS dated 25 March 2015 by Eric Pickles MP, Secretary of State for Communities and Local Government, details Government Policy in relation to, amongst other things,

Housing Standards and car parking provision. Policies 27, 50, 51 of the City Plan and Policy H11 of the South Cambridgeshire Local Plan do not appear to accord with the WMS. This is not intended to be an exhaustive list of policies which may be affected by both of the WMS and we are therefore inviting the Councils to undertake a rigorous audit of both plans and propose modifications to ensure compliance with both WMS.

Next steps

In the circumstances, we consider that the best course of action would be for the Examinations to be suspended while the Councils revisit the sustainability appraisals so as to appraise all reasonable alternatives (including sites on the urban edge) to the same level as the preferred option, and to suggest modifications based on that work. For the avoidance of any doubt this letter should not be interpreted as an indication that further releases of Green Belt land would be necessary to ensure soundness. We envisage that further modifications would either align the plans with the SDSR; or more fully explain the reasons for departing from that Strategy together with a clearer and more fully evidenced explanation of how the challenges of delivering sustainable development in the proposed new settlements will be met. During the suspension further work could be undertaken on the other issues raised in this letter.

We recognise that the Councils will be disappointed by these preliminary conclusions but we look forward to hearing how you wish to progress together with a timetable for undertaking the further work identified, including any periods of public consultation.

██████████
██████████

Inspectors

Clough, Jack

From: Grundy, Simon [Simon.Grundy@carterjonas.co.uk]
Sent: 05 April 2018 10:10
To: localplan@york.gov.uk
Cc: Brear, Josh; Sarah Griffiths (Gallagher Estates)
Subject: RE: Local Plan – representations for Gallagher Estates - email 2 of 2 [CJ-WORKSITE.FID414879]
Attachments: Appendix 7.pdf

Simon Grundy
Partner

For and on behalf of Carter Jonas LLP
T: 0113 203 1095
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Carter Jonas



Please consider the environment - do you really need to print this email?

From: Grundy, Simon
Sent: 05 April 2018 10:09
To: 'localplan@york.gov.uk' <localplan@york.gov.uk>
Cc: Brear, Joshua (Josh.Brear@carterjonas.co.uk) <Josh.Brear@carterjonas.co.uk>; 'Sarah Griffiths (Gallagher Estates)' <Sarah.Griffiths@gallagherestates.com>
Subject: Local Plan – representations for Gallagher Estates - email 1 of 2 [CJ-WORKSITE.FID414879]

Further to our representations yesterday, for completeness please see attached for the appendices to Appendix 2, as previously submitted in October 2017 for the Regulation 18 consultation.

Finally, please call me on 07917 773671 if you wish to discuss or require any further information.

With best wishes

From: Grundy, Simon

Sent: 04 April 2018 15:01

To: 'localplan@york.gov.uk' <localplan@york.gov.uk>

Cc: Brear, Joshua (Josh.Brear@carterjonas.co.uk) <Josh.Brear@carterjonas.co.uk>; 'Sarah Griffiths (Gallagher Estates)' <Sarah.Griffiths@gallagherestates.com>

Subject: City of York Local Plan Publication Draft consultation – representations for Gallagher Estates [CJ-WORKSITE.FID414879]

Dear Sirs,

Further to the above please see attached for completed form and representations statement plus appendices on behalf of Gallagher Estates.

We look forward to acknowledgement of receipt.

With best wishes

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Carter Jonas LLP

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Land at North Field, York

Landscape Overview of the Land at North Field York and Five Strategic Sites identified in the emerging City of York Local Plan

Prepared by
CSA Environmental

on behalf of
Gallagher Estates Ltd

Report No: CSA/2995/04

October 2017

Report Reference	Revision	Date	Prepared by	Approved by	Comments
CSA/2995/04	-	19.10.17	CA	CS	First Issue
CSA/2995/04	A	25.10.17	CA	CS	Second Issue
CSA/2995/04	B	30.10.17	CA	CS	Third Issue



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5.0	Landscape Overview of Development Options	11
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Appendices

Appendix A: Figure 3.1 Historic Character and Setting of York (Extract from the City of York Local Plan – Pre-Publication Draft (Regulation 18 Consultation September 2017))

1.0 INTRODUCTION

- 1.1 Gallagher Estates Ltd are promoting residential development on land at North Field, York through the emerging City of York Local Plan. The site at North Field is not identified as a potential housing allocation in the City of York Local Plan – Pre-publication Draft (September 2017). It was identified in the Council's Strategic Housing Land Availability Assessment ('SHLAA'), published in September 2017, and discounted on the grounds of perceived impacts on the separation between York and Knapton, and on the rural setting of York as perceived from the A1237, York Outer Ring Road.
- 1.2 CSA Environmental ('CSA') previously prepared a Landscape and Visual Assessment for the land at North Field, as part of the representations to the Council in support of the site's allocation. The findings of which are summarised in this document and considered in light of the issues identified by the Council in the SHLAA.
- 1.3 In addition, CSA has been appointed by Gallagher Estates Ltd to undertake a landscape and visual overview of five strategic sites identified in the emerging City of York Local Plan. These strategic sites are located within the Green Belt on the periphery of York or within the wider countryside. The following sites are considered in this report:
 - ST7 – East of Metcalfe Lane;
 - ST8 – Land North of Monks Cross;
 - ST9 – Land North of Haxby;
 - ST14 – Land West of Wigginton Lane; and
 - ST15 – Land to the West of Elvington Road.
- 1.4 Each of the sites has been visited by a suitably qualified and experienced landscape architect in August 2016. In addition, the assessment has been informed by a desktop review of the Council's current landscape evidence base. The findings of the assessment are set out in the summary tables in Section 5 of this document and Section 6 provides a summary of the findings. Section 2 of this document briefly sets out the current policy situation and Section 3 identifies the relevant documents which form the basis of the Council's landscape evidence base for the Local Plan. Section 4 briefly considers the historic character and setting of York and how this has informed the current spatial strategy for the emerging Local Plan, and the implications for the land at North Field.

2.0 LANDSCAPE POLICY

- 2.1 City of York Council published the Local Plan Pre Publication Draft Regulation 18 Consultation document for public consultation in September 2017. This document sets out the draft planning policies and site allocations which will deliver growth for the city up to 2032 / 33.

Spatial Strategy

- 2.2 **Draft Policy SS1: Delivering Sustainable Growth for York** notes that the location of development will be guided by a number of principles, including:

- Conserving and enhancing York's historic and natural environment. This includes the city's character and setting and internationally, nationally and locally significant nature conservation sites, green corridors and areas with an important recreation function.

Green Belt

- 2.3 **Policy SS2: The Role of York's Green Belt** states that the primary purpose of the Green Belt is to preserve the setting and the special character of York and delivering the Local Plan Spatial Strategy.

- 2.4 National Green Belt Policy is set out in the National Planning Policy Framework ('NPPF'). In Section 9 'Protecting Green Belt Land' (paragraphs 79 and 80) of the NPPF states that the essential character of Green Belts is their openness, their permanence and their ability to serve the following functions:

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

Landscape

- 2.5 **Draft Policy D2: Landscape and Setting** states that development proposals will be supported where they, amongst other things:

- demonstrate understanding through desk and field based evidence of the local and wider landscape character and landscape quality relative to the locality, and the value of its

contribution to the setting and context of the city and surrounding villages, including natural and historic features and influences such as topography, vegetation, drainage patterns and historic land use; and

- conserve and enhance landscape quality and character, and the public's experience of it and make a positive contribution to York's special qualities.

Site Specific Policies

2.6 The draft Local Plan sets out a number of policies which relate to the draft strategic site allocations.

2.7 **Draft Policy SS9: Land East of Metcalfe Lane** states that this allocation will deliver approximately 845 dwellings, a local centre and education and community facilities. The following key principles are of relevance:

- Create a new 'garden' village;
- Create a 50m buffer along the route of the Millennium Way, an historic footpath, which runs through the site; and
- Preserve existing views to, and the setting of, York Minster, Millennium Way and Osbaldwick Conservation Area.

2.8 **Draft Policy SS10: Land North of Monks Cross** states that this allocation will deliver approximately 968 dwellings, community facilities and a primary school as part of an urban extension. The following key principles are of relevance:

- Include an appropriate landscape treatment to the link road to protect the setting and character of York;
- Create strategic landscape buffering along the existing road network that borders the site to retain key views towards the Minster as well as to the north that should be preserved;
- Explore the creation of a new green wedge to the west of the site to play an important role in protecting ecological assets, safeguarding the historic character and setting of the city and conserving on-site heritage assets including Ridge and Furrow, archaeology, hedgerows and trees that contribute to the setting of Huntington; and
- Create new open space on additional land to the east of the Monks Cross Link Road.

2.9 **Draft Policy SS11: Land North of Haxby** states that this allocation will deliver approximately 735 dwellings, community facilities and a primary school. The following key principles are of relevance:

- Create new open space to the south of the Site; and
- Protect and enhance existing valuable landscape features including field patterns, mature hedgerows and trees. Development should minimise the impact on the landscape and setting of the village and reflect the character and rural setting of the surrounding area.

2.10 **Draft Policy SS12: Land West of Wigginton Road** states that this allocation will deliver approximately 1200 dwellings, a local centre, community facilities and nursery and primary education provision as part of a sustainable 'garden' village. The following key principles are of relevance:

- Maintain landscape buffers around the site to prevent coalescence with adjacent settlements and maintain the setting of the city and the village of Skelton;
- Protect and enhance local green assets, trees and hedge-lines and enhance existing landscape character; and
- Provide open space to the west of the site to minimise the visual proximity of the development areas to Skelton.

2.11 **Draft Policy SS13: Land West of Elvington Lane** states that this allocation will deliver approximately 2200 dwellings, a local centre and community and education facilities as part of a sustainable 'garden' village. The following key principles are of relevance:

- Create new open space to maintain views of the Minister and existing woodland;
- Mitigate impacts on Heslington Tillmire SSSI and the Lower Derwent SPA / Ramsar site;
- Protect the character, setting and enjoyment of Minster Way; and
- Retain Common Lane / Long Lane / Langwith Stray as cycle/pedestrian routes only to ensure protection of the character of Heslington Village.

2.12 The preamble to these policies notes that the creation of garden villages fits well with the existing urban form of York consisting of a compact main urban area surrounded by villages.

3.0 EVIDENCE BASE

3.1 City of York Council has prepared a number of evidence base documents to support emerging and existing planning policy in the city. The findings of these technical reports in relation to each of the sites are considered in more detail within the summary sheets in Section 5 of this document. The following technical reports are relevant to this appraisal.

Landscape Character

York Landscape Appraisal (January 1997)

3.2 The York Landscape Appraisal was produced by Environmental Consultancy University of Sheffield ('ECUS') on behalf of the City of York Council. The document identifies twelve landscape types (LT), and the following are of relevance:

1. Flat Open Arable Farmland LT
 - Land at North Field, York

4. Wooded Arable Lowland LT
 - Land to the West of Elvington Road

8. Flat Diverse Arable Farmland LT
 - Land North of Haxby
 - Land west of Wigginton Lane

10. Mixed Fringe Farmland LT
 - Land East of Metcalfe Lane
 - Land North of Monks Cross

Heritage and Green Belt

Green Belt Appraisal (2003)

3.3 The Council produced the Green Belt Appraisal in preparation for their adopted 2005 Local Plan. The document identifies those areas which it considers to be 'most valuable areas of Green Belt'. These are divided into four categories as follows:

- Areas which retain, reinforce and extend the pattern of historic green wedges;

- Areas which provide an impression of the historic city situated within a rural setting;
- The setting of villages whose traditional form, character and relationship with the surrounding agricultural landscape of which is substantially unchanged; and
- Areas which prevent the coalescence of settlements to retain their individual identity.

3.4 The Council have not undertaken a Green Belt Assessment of the preferred Site Allocations identified within the emerging Local Plan.

Historical Character and Setting Technical Paper (January 2011)

3.5 The work on this Technical Paper was undertaken to supplement and provide an update to the York Green Belt Appraisal (2003) and to provide part of the evidence base for the Local Development Framework Core Strategy.

Historic Character and Setting Technical Paper Update (June 2013)

3.6 This Technical Paper was produced by the Council to support the Preferred Options Local Plan and supplements work undertaken in the York Green Belt Appraisal (2003) and the Historic Character and Setting Technical Paper (January 2011). In light of the 'Call for Sites' exercise undertaken in Autumn 2012, the Technical Paper considers whether changes to the Historic Character and Setting boundaries can be justified.

Heritage Topic Paper Update (September 2014)

3.7 This document assesses the existing evidence relating to the City of York's historic environment in order to develop a strategic understanding of its special qualities. It identifies six special principal characteristics which it states are strategically important to the special character and setting of York. These are:

- Strong Urban Form;
- Compactness;
- Landmark Monuments;
- Architectural Character;
- Archaeological Complexity; and
- Landscape Setting.

3.8 The topic paper provides a series of character elements which contribute to these principal characteristics. In terms of landscape setting it states the following:

'The landscape provides the city and its outlying villages with a rural setting and a direct access to the countryside, and thus has a value/status that reaches beyond the relative quality of the aesthetic landscape.'

Heritage Impact Assessment (September 2017)

- 3.9 This document assesses whether the strategic sites, allocations and policies set out in the City of York Local Plan will conserve or enhance the special characteristics of the city. The assessment considers the strategic site allocations against the six principal characteristics identified in the Heritage Topic Paper.
- 3.10 The findings of the Heritage Impact Assessment have informed the appraisal of the two objectives relating to the historic character and setting of York within the Council's Sustainability Appraisal of the emerging Local Plan. The objectives are as follows:
- Objective 14: Conserve or enhance York's historic environment, cultural heritage, character and setting;
 - Objective 15: Protect and enhance York's natural and built landscape.

York Central Historic Core, Conservation Area Appraisal

- 3.11 This document identifies a number of key views of the historic environment of York from the surrounding area.

Sustainability Appraisal

- 3.12 The Council have produced a Sustainability Appraisal of the Local Plan Pre-publication Draft (Regulation 18 Consultation). This document considers the preferred strategic allocations against a series of sustainable objectives.

4.0 HISTORIC CHARACTER AND SETTING OF YORK

- 4.1 The historic character and landscape setting of York has been a fundamental consideration in developing the spatial strategy for the emerging Local Plan and has been informed by a number of the evidence base documents which are identified in the preceding section of this report. Figure 3.1: Historic Character and Setting of York (see **Appendix A**), contained within the Local Plan Pre Publication Draft Regulation 18 Consultation document, identifies the areas which play a role in preserving the historic and landscape setting of the city.
- 4.2 Key components of the historic development of York are the Green Wedges which incorporate the river corridors of the Ouse and Foss and the historic strays and 'ings'. These areas of open land extend between the historic core and the Outer Ring Road and provide an important connection between the rural hinterland and the city centre. They are indicative of the historic evolution of the city, provide important areas of open land and allow views to the city's landmarks.
- 4.3 Between the urban edge of York and the Outer Ring Road a number of tracts of land are identified as 'Areas Retaining the Rural Setting' of York. The Green Belt Appraisal undertaken by City of York Council in 2003 described these as 'Areas which provide an impression of the historic setting of the city'. It notes that category relates to:
- 'significant tracts of undeveloped land providing an open foreground of rural character enabling good views of the Minister or towards an urban edge of a historic character from a prominent and frequently used place'.*
- 4.4 It should be noted that this appraisal identified three such areas which performed this function and did not include the land at North Field. Its omission would suggest that it did not meet the criteria set out above. The land at North Field was considered again in the Historical Character and Setting Technical Paper (January 2011) and no further change was recommended to the historic character and setting boundary at this time.
- 4.5 The northern part of the land at North Field was subsequently included within this area following supplementary work undertaken as part of the Historic Character and Setting Technical Paper Update (June 2013). This work was undertaken as part of the supporting information for the Preferred Options Local Plan. This report considered the northern part of this land parcel as important to retaining the rural setting of the City when viewed from the A1237 and the A59. The

report does not however explain how the situation has changed from when the preceding assessment work was undertaken.

- 4.6 Our own assessment would agree that the land at North Field represents an area of undeveloped farmland between the existing edge of settlement and the A1237. Despite this, views from the Outer Ring Road are of modern housing development at the edge of Acomb, albeit with farmland in the immediate foreground. Views of the historic core / landmark buildings in York are unavailable. In addition, few of the former field boundaries remain intact and the land at North Field has been severed from the rural hinterland by the route of the Outer Ring Road. Whilst it does function as a buffer of residual farmland between the A1237 and housing in York, it does not play the same role in defining the historic settlement pattern of York as the Green Wedges; nor is it as sensitive as other locations at the periphery of the city where views are available to the historic core.
- 4.7 The Council also identify 'Areas Preventing Coalescence', including the southern part of North Field. This land plays a role in preserving the separate identity of Knapton from the edge of York at Acomb. Again, we would acknowledge that proposals for residential development at North Field would need to carefully consider the separation and setting of Knapton, however this could be achieved by sensitive masterplanning (as shown in the Framework Document which was prepared to support the site's promotion), and should not represent an overriding constraint to growth in this direction.
- 4.8 The spatial strategy for growth in York is understandably driven by the desire to protect the historic character and setting of the city. The supporting evidence base identifies a number of landscapes which are considered important to achieving this aim. City of York Council has discounted development options which affect these identified areas. This has meant that there are limited opportunities for growth within the Outer Ring Road on the periphery of the city, and has resulted in the identification of three free standing settlements within the countryside to the north and south of York.
- 4.9 Our own landscape and visual analysis of the land at North Field has identified that this land does function as a landscape buffer to the Outer Ring Road and to the neighbouring settlement at Knapton. Despite this, it plays no role in the historic setting of York and should not be considered as sensitive as other land parcels which play a much more significant role in the landscape and historic setting of the city. Accordingly, it is our view that the land at North Field should be considered further as a potential development option which could provide a sustainable location for growth at the edge of York.

4.10 The following section provides a landscape and visual overview of the land at North Field, together with five other options for growth identified in the emerging Local Plan.

5.0 LANDSCAPE OVERVIEW OF DEVELOPMENT OPTIONS

- 5.1 The following summary sheets provide an overview of the principal landscape, visual and green belt issues relating to the six sites considered in this report.

AERIAL PHOTOGRAPH



PHOTOGRAPHS



Photograph 1 View from entrance to McDonalds restaurant across the site



Photograph 2 View south across the site



Photograph 3 View across the site from the western boundary

COMMENTS

The Site is being promoted for residential development.

Landscape Policy Context

- Situated within the Green Belt

Landscape Designations

- None

Evidence Base

The site has been considered as part of City of York Council's initial Site Selection process. The northern part of the site lies within an area identified as an 'Area Retaining the Rural Setting of York' (refer to plan in **Appendix A**); the southern part of the site lies within an area identified as preventing coalescence between the edge of York and Knapton.

The Site was dismissed during the site selection process with officers raising the following concerns in the most recent assessment:

'Site fails criteria 1 as it is within historic character and setting area, partly area preventing coalescence (G4) and area retaining rural setting. This land creates a physical and visual separation between the A1237 and the main urban area of York and between Knapton and Beckfield Lane. Whilst it is acknowledged that landscaping could provide some mitigation the introduction of a solid form in this location would compromise what is currently open countryside.'

Landscape Description

The site comprises a large arable field, known as North Field, with a smaller area of paddocks and a small collection of agricultural buildings to the south. It lies alongside the western edge of the built up area of York. It is bound to the west by the route of the A1237 Outer Ring Road; to the north is Wheatlands House and several fields beyond which is Boroughbridge Road (A59); to the east is the urban edge of York; to the south is the small settlement at Knapton and several small paddocks.

The site contains very few notable landscape features and is undistinguished in terms of character. It is influenced by a number of urbanising factors, which include the proximity of development at the edge of York, the route of the A1237 and nearby commercial and industrial development. The site is not publically accessible, and there are no Tree Preservation Orders covering trees on the site.

Initial Visual Analysis

The site lies at the edge of the built up area of York however owing to the disposition of built development, vegetation along the route of the A1237 and the prevailing low lying topography, middle and long distance views of the site are extremely limited. There are no key views of York which include the site (as identified in the York Central Historic Core Conservation Appraisal) and the historic core is not visible in views across the site.

COMMENTS

There are fleeting views of the site from vehicles traveling along the Outer Ring Road and from the A59. There are views from housing and roads at the edge of Knapton and from housing at the built edge of York. In views from the edge of Knapton housing in the suburb of Acomb is a visible component in the backdrop.

Green Belt and Landscape Setting of York

The site comprises a broad swathe of farmland between the edge of York and the Outer Ring Road. Development in this location would be well related to existing housing in York and would form a sustainable urban extension to the city. It would however reduce the separation between York and the Outer Ring Road. Despite this, housing in Acomb to the east comprises twentieth century development and there is no sense of the historic core of York in glimpsed views from the ring road. Development would not therefore impact on views of landmark monuments within the city. The existing development edge at Acomb presents a rather 'blunt' edge to the settlement and a sensitively designed housing scheme which maintains a landscaped / farmland buffer to the ring road would respect the rural setting of this approach to the city. Development would be closely related to existing housing and would assist in maintaining the impression of a compact city, minimising encroachment into the wider countryside / urban sprawl.

Housing will inevitably reduce the separation between the edge of York and the neighbouring settlement at Knapton. Despite this, housing would be located alongside settlement in York and would clearly relate to the city. Subject to careful design and siting of housing and open space and the maintenance of an appropriate separation, development in this location can respect the separate identity of the neighbouring settlement at Knapton.

Evaluation

Development would be well related to the existing built up edge of York and would form a sustainable extension to the city. It could be accommodated in a manner which respects the rural setting of the city and the separation between York and Knapton.

AERIAL PHOTOGRAPH



PHOTOGRAPHS



Photograph 1 View from Millennium Way (public bridleway) across one of the fields of the site



Photograph 2 View northwest across the site



Photograph 3 View west from western edge of the site



Photograph 4 View across the site from the western boundary

COMMENTS

The site is identified as a draft strategic allocation to provide a new 'garden' village of approximately 845 dwellings, a local centre and education and community facilities.

Landscape Policy Context

- Situated within the Green Belt

Landscape Designations

- None

Evidence Base

Sustainability Appraisal identifies that there are potential minor to significant negative effects against objectives 14 and 15.

The Heritage Impact Assessment notes that development would reduce the field margin between the edge of the city and the A64. There is concern that a new settlement in close proximity to the city would be out of character with the current pattern of development. The site is prominent in views from the A64, and this view is identified as a key city wide view in the York Central Historic Core Conservation Appraisal. In addition development could impact, or obscure views of the Minster and other features, including the Millennium Way and Osbaldwick Conservation Area.

Figure 3.1: Historic Character and Setting of York, of the emerging Local Plan (see **Appendix A**), identifies the land to the east as falling within an 'Area Retaining the Rural Setting of York', which extends to meet the A64. To the south east, the land between Osbaldwick and Murton is identified as an 'Area Preventing Coalescence'.

Landscape Description

The site is divided into two parcels of land, comprising a series of irregularly shaped varied sized arable and pastoral fields, with Cottage Farm Stables, outbuildings and two dwellings in the centre on the western edge. The site is not designated, but has a pleasant agricultural landscape quality. The site is divided centrally by a public bridleway, known as Millennium Way which follows Bad Bargain Lane, while the south eastern and south western site boundaries are marked by a public bridleway (Outgang Lane) and public footpath respectively. The northern boundary follows Tang Hill Beck before it cuts across the field to meet the eastern boundary, allowing views to the settlement to the northwest. Agricultural hedgerows mark the rest of the field boundaries, some of which are gappy and degraded, in particular those associated with the riding school. There are stands of trees in the area around the riding school and farmyard, some of which are of high landscape quality. There are no Tree Preservation Orders covering trees on the site.

Initial Visual Analysis

The eastern built up edge of York is visible over the south western site boundary, with York Minster on the horizon beyond the housing. In addition, there are partial views of the edge of the Osbaldwick Conservation Area to the southwest, while to east, there are partial views of the scattered farms to the northeast. There are views from the A64 to the east and from the Millennium Way and public footpaths in the vicinity of the site.

COMMENTS

Green Belt and Landscape Setting of York

The site is located on agricultural land, with a number of fields separating the site from the eastern edge of Heworth Without and Meadlands (suburbs of York). To the east, beyond the A64 is the settlement of Murton, whilst a short distance to the south, is the industrial estate at the edge of the suburb of Oswaldwick. There is inter-visibility between the site and the edge of York and from the A64. Development in the location would effectively result in a significant expansion at the edge of York which would be perceptible from the surrounding ring road and would impact on key views towards the historic core and the rural setting of York. In views from the A64 it would be difficult to disassociate development in this location from further expansion in York.

The proposals are for a standalone 'Garden' village, however given the proximity to housing at the edge of York it would be difficult to distinguish from other development at the edge of York. Development would therefore encroach on the surrounding countryside, result in some diminution of the separation to surrounding settlements and would impact on key views towards the Minister, on the historic route of the Millennium Way and the rural setting of the settlement.

Evaluation

The strategic allocation will provide a new 'garden' village located in open countryside between existing housing at the edge of York and the A64, Outer Ring Road. At its closest point, the site is 160m from housing on the outskirts of York, whilst the southern boundary is located in proximity to the industrial units at the edge of Osbaldwick. The new housing will be visible in views from the edge of York, including Osbaldwick Conservation Area and from the A64 and surrounding public footpaths. It will therefore be difficult to design and provide a distinct new settlement in this location and the proposals are likely to be closely associated with housing at the edge of York.

In order to protect the historic setting of the Millennium Way bridleway the draft allocation identifies the requirement for a 50m buffer to the route. This will effectively sever the developable area and make the provision of a cohesive housing area difficult to achieve. In addition, the proposals are detached from the surrounding urban area and the highway network and access to the site from the surrounding road network appears problematic.

Development in this location will therefore result in encroachment into the rural landscape at the edge of York, and will have some impact on the rural setting of the town and on key views from the A64 towards the historic core, thus conflicting with some of the key objectives of the Local Plan.

AERIAL PHOTOGRAPH



PHOTOGRAPHS



Photograph 1 View from field entrance on North Lane across northern part of the site



Photograph 2 View southwest across the site from Monks Cross Link (road)



Photograph 3 View northwest across the site from Monks Cross Link (road)

COMMENTS

The site is identified as a draft strategic allocation to deliver approximately 968 dwellings, community facilities and a primary school as part of an urban extension.

Landscape Policy Context

- Situated within the Green Belt

Landscape Designations

- None

Evidence Base

Sustainability Appraisal identifies that there are potential neutral and minor negative effects against objectives 14 and 15.

The land to the east of Monks Cross Link (road) is identified as Green Wedge (refer to plan in **Appendix A**).

The Heritage Impact Assessment notes that development would represent a significant intrusion into open countryside, it would reduce the field margin between the ring road and urban areas and impact on the open rural setting of the city. It also states that it would further erode the rural setting of the village of Huntington and would start to enclose the green wedge which is located to the east.

Landscape Description

The site lies to the east of housing development in Huntington, separated by a number of agricultural fields. To the immediate south is the employment and commercial area at Monks Cross Shopping Park. The site comprises a number of variable sized mainly rectangular arable and pastoral fields, or parts thereof, with White Horse Farm, associated outbuildings and Catterton House in the northern part of the site. The site is contained by hedgerows along much of North Lane to the north and within the site the boundaries are marked by agricultural hedgerows and scattered hedgerow trees, some of which are of high landscape value. North Lane has a rural quality with farmsteads along it, while the boundary alongside Monks Cross Link (road) to the east is marked by a post and rail fence. As viewed from Monks Cross Link (road) across the site, the housing on the eastern edge of York is not visible, being well contained by the intervening hedgerows. Further to the east, is agricultural land, and therefore despite the marginally urbanising effects of the road and views of the rooftops of the retail parks to the south, the site has a pleasant rural quality. The site is not publicly accessible, and there are no Tree Preservation Orders covering trees on the site.

Initial Visual Analysis

As viewed from Monks Cross Link (road) across the site, the housing on the eastern edge of York is not visible, being well contained by the intervening hedgerows. There are similar views from the Outer Ring Road to the east of the site. The Heritage Impact Assessment notes that there is a view available towards York Minster from within the site.

COMMENTS

Green Belt and Landscape Setting of York

The site would extend the eastern edge of York into the wider countryside and housing would be visible in views from Monk Cross Link (road) and from the Outer Ring Road. The existing settlement edge at Huntington is well contained by adjacent field boundary vegetation and the approach along North Lane to the north has a pleasant rural character. Although, the retail park is visible to the south, development in this location will encroach on the countryside adjacent to the built up area and will impact on the rural setting of the approaches to York along North Lane, Monks Cross Link and the Outer Ring Road. Development will therefore have some impact on National Green Belt objectives and on the landscape setting of the city.

Evaluation

The site would introduce development to a section of Monks Cross Link (road) where at present housing is inconspicuous, and the landscape is dominated by agricultural fields, despite the slightly urbanising effects of the road to the east, and the large retail parks to the south. It would be visible in views from a number of the approaches to York from the surrounding area. The proposed green wedge alongside the western boundary would result in a poor relationship between the new housing and the existing settlement edge and could form a barrier to effective integration. As suggested in the Council's evidence base, any proposals would require landscape mitigation along the route of the adjoining highways, and should retain key views to York Minster.

AERIAL PHOTOGRAPH



PHOTOGRAPHS



Photograph 1 View southeast across the site from public right of way on northern boundary



Photograph 2 View north across one of the fields of the site from public footpath



Photograph 3 View across one of the fields of the site from the western boundary

COMMENTS

The site is identified as a draft strategic allocation to deliver approximately 735 dwellings, community facilities and a primary school.

Landscape Policy Context

- Situated within the Green Belt

Landscape Designations

- None

Evidence Base

Sustainability Appraisal identifies that there are potential minor negative effects against objectives 14 and 15.

The land to the west of the site is identified as an Extension of the Green Wedge (refer to plan in **Appendix A**).

The Heritage Impact Assessment states that development would further extend Haxby's boundary beyond its historic core and is likely to have a significant effect on the settlement's compactness. It notes that proposals would impact on historic landscape elements and will have a detrimental impact on the setting of the village, including the rural approach along Moor Lane.

Landscape Description

The site comprises a series of distinctive narrow strip, and some larger fields, part of the pleasant agricultural landscape setting to the north of the village of Haxby. The site is marked internally and on most of the boundaries by agricultural hedgerows with mature trees. Some of the boundaries also contain drainage ditches, while the north western boundary with Moor Lane is open. This allows views across the north western part of the site towards internal field boundaries. A public footpath runs along Crookland Lane, between two of the internal fields towards the east of the site, extending north to Crossmore Lane. There are no Tree Preservation Orders covering trees on the site.

Initial Visual Analysis

Views of the site are contained given the hedgerows and mature trees, and longer distance views are prevented by the flat landscape. There are views from the rural approaches along Moor Lane and Usher Lane to the east and west, and from Crookland Lane which passes through the site.

Green Belt and Landscape Setting of York

Development on the edge of Haxby is remote from the settlement at York and would not impact on the landscape setting of the city. Development would significantly extend the northern settlement edge of Haxby into the surrounding landscape and would be apparent in views from the approaches along Moor Lane and Usher Lane, resulting in encroachment into the wider countryside.

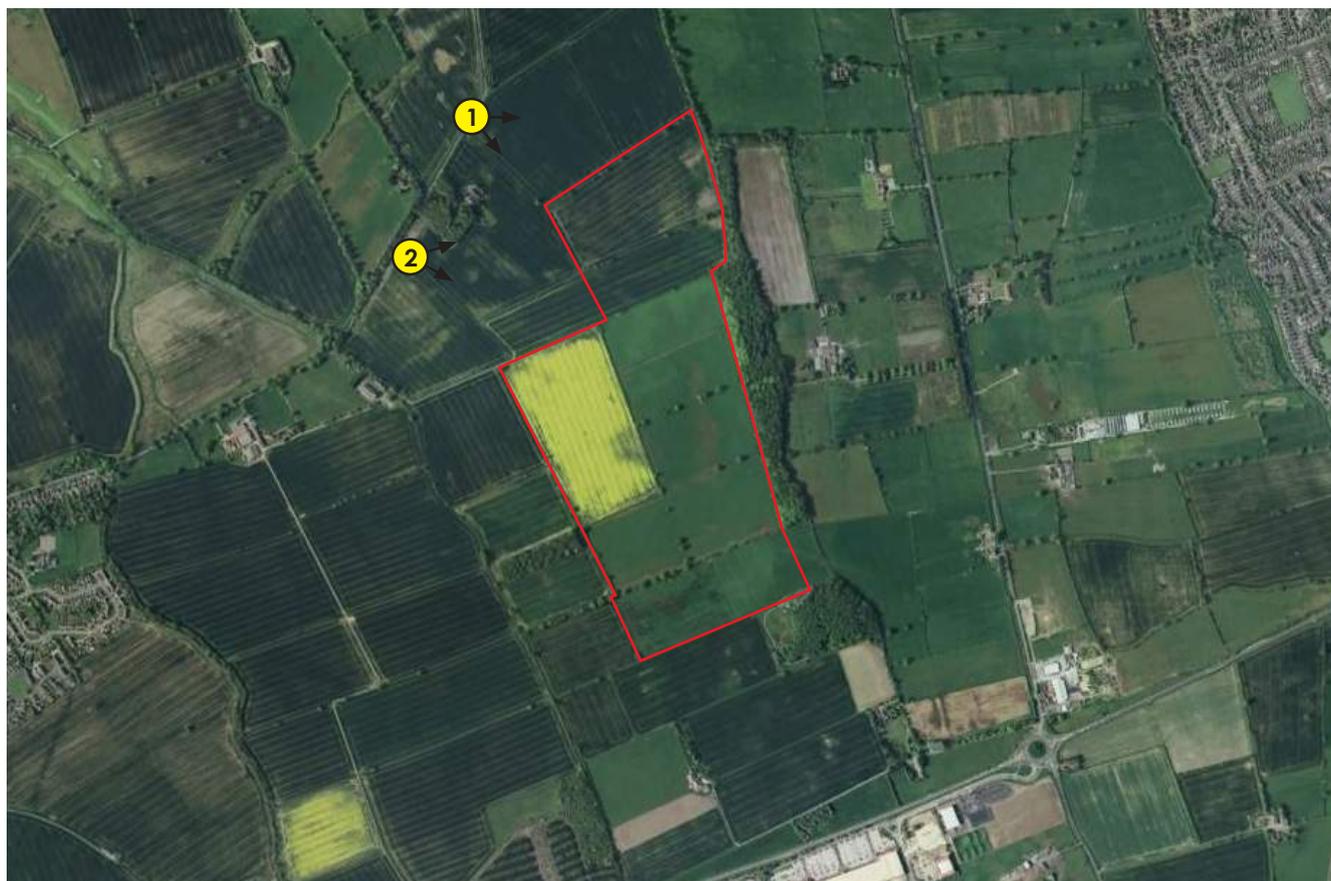
COMMENTS

Evaluation

Development would result in the loss of pleasant agricultural land, with a distinctive landscape pattern of well treed hedgerows and an historic small scale / strip field pattern. The existing landscape framework would make a comprehensive development scheme, including playing fields and access, difficult to achieve without resulting in losses of trees and sections of hedgerows which would have a negative impact on the landscape character of the area.

The proposed open space would result in development being poorly related to the existing settlement. In addition, development would result in a significant northern expansion of the settlement and would impact on the rural approaches along Moor Lane and Usher Lane.

AERIAL PHOTOGRAPH



PHOTOGRAPHS



Photograph 1 View from field entrance on Moor Lane towards the site



Photograph 2 View from edge of cemetery on Moor Lane towards the site

COMMENTS

The site is identified as a draft strategic allocation to deliver approximately 1200 dwellings, a local centre, community facilities and nursery and primary education provision as part of a sustainable 'garden' village

Landscape Policy Context

- Situated within the Green Belt

Landscape Designations

- None

Evidence Base

Sustainability Appraisal identifies that there are potential minor negative effects against objective 14 and minor and significant negative effects against objective 15.

The land to the east of the site is identified as an 'Extension of the Green Wedge' and the land to the south east is identified as an area for preventing coalescence between York and the settlement at Skelton (refer to plan in **Appendix A**).

The Heritage Impact Assessment identifies that there is potential significant negative impacts from urban sprawl as development would extend beyond the ring road. This would, it notes, be mitigated by landscape buffers and strategic green space to the west. It notes the potential to create an urban corridor due to its location opposite Clifton Moor Retail Park and potential harm to the setting of Skelton.

Landscape Description

The site comprises pleasant area of agricultural land, consisting of a series of roughly similar sized rectangular arable fields, with hedgerows and several scattered hedgerow trees, marking both the internal and the northern and western boundaries, some of which are of high landscape value. The southern boundary is undefined on the ground, and the eastern boundary consists of a linear woodland belt which screens the site in views from the east. The site is not publicly accessible, and there are no Tree Preservation Orders covering trees on the site.

Initial Visual Analysis

From Moor Lane to the west and northwest, the relatively flat landscape assists in limiting views, but partial views into the site are possible.

Green Belt and Landscape Setting of York

The site is located in the countryside surrounded by agricultural fields. There are several fields which separate the site from the built up edge of York to the south, Skelton to the west and Haxby to the east. It lies beyond the Outer Ring Road which marks the edge of York and would introduce urban development into the rural landscape. Despite the well-defined wooded boundary to the east, the boundaries to the west and south are poorly defined. Development at the site would inevitably introduce built form into an area of agricultural land with no association to other development in the area. It would therefore result in encroachment into the countryside. In addition, development lies between the built up areas of Skelton, Haxby and the northern edge of York and would result in a reduction in the separation between these settlements. Development

COMMENTS

here, in conjunction with existing settlement at Skelton and Haxby, which have both undergone significant post war expansion, would increasingly urbanise the character of the countryside to the north of York. This approach would be at odds with the concept of a compact city and could ultimately lead to urban sprawl. The heritage assessment notes that some mitigation can be provided in the form of landscape buffers, however there will inevitably be an impact on some of the objectives of Green Belt Policy.

Evaluation

Development would introduce an area of settlement into a currently pleasant agricultural landscape. There is no detail of how access would be provided, however this is likely to be from the A1237 and from Wigginton Road resulting in substantial highway infrastructure to serve a development of this size. Due to the site's relative isolation from the existing highway network, new roads would need to cross tracts of the intervening countryside. The woodland belt contains views from the east, while to the north, south and west, views will be possible despite the site being relatively flat. If development were to occur, landscape buffers on each of the boundaries besides the east would be needed, while existing trees of high landscape value should be retained through sensitive design.

AERIAL PHOTOGRAPH



PHOTOGRAPHS



Photograph 1 View across the site to northeast from public bridleway



Photograph 2 View across the site to southeast from public bridleway

COMMENTS

The site is identified as a draft strategic allocation to deliver approximately 2200 dwellings, a local centre and community and education facilities as part of a sustainable 'garden' village.

Landscape Policy Context

- Situated within the Green Belt
- Situated within 50m of Snactry Wood (Ancient Woodland)
- Situated approximately 500m from Wheldrake Wood SINC
- Situated approximately 1km from Heslington Tilmire SSSI
- Elvington Airfield SINC is located within the site.

Landscape Designations

- None

Evidence Base

Sustainability Appraisal identifies that there are minor and significant negative effects on objectives 14 and 15.

The Heritage Impact Assessment notes that there are potential negative impacts from a new access point off the A64, development may obscure or impact on views of the Minsters and the Wolds, and proposals could negatively impact on nearby wildlife sites, in particular Hesslington Tilmire SSSI and the Lower Derwent Valley SPA / Ramsar. It also notes potential impacts on existing recreational routes including the Minster Way.

Landscape Description

The site is located to the south east of York, beyond the Outer Ring Road and remote from the built up area of the city. The site comprises several mainly large roughly rectangular fields, Langwith Lodge, Langwith House and a portion of the runway and access road of Elvington Airfield. The field boundaries are marked with varying densities of hedgerow, some with closely planted mature trees and others with more scattered hedgerow trees. Grimston Wood lies adjacent the north eastern boundary, screening the site from the northeast. Close to the south western corner is Snactry Wood, with Langwith Great Wood situated further to the west. This woodland and Wheldrake Wood further south form a continuous horizon of woodland to the south. In the area of the airfield, to the south of the site the boundaries are open. Minster Way, a named public footpath runs along parts of the western and northern boundaries, while a public bridleway cuts through the northern part of the site, between the western and north eastern boundaries. There are no Tree Preservation Orders covering trees on the site.

Initial Visual Analysis

To the west, where gaps in the hedgerow along Langwith Stray allow, longer distance views are possible towards Heslington Tilmire SSSI. To the northeast there are partial long distance views towards the higher ground of Bishop Wilton Wold. There are views from the neighbouring highways and from the rights of way which adjoin or cross the site.

COMMENTS

Green Belt and Landscape Setting of York

The proposals are for a free standing development within the countryside to the south east of York. It is remote from the built up area of the city and effects on its rural setting would be limited. Proposals would inevitably result in encroachment on the countryside and there would be some erosion of the separation between Elvington and Wheldrake.

Evaluation

Development would introduce built form into an area which is mainly agricultural land, although the airfield within the southern part of the site and to its east and west changes the land use in this area. New development will impact on a number of ecological and wildlife assets and the effects should be carefully assessed in order to provide suitable mitigation. The site is flat and is well contained by woodland to the north and south, however, there are partial views to the southwest and some long distance partial views to the northeast. If access is taken from the A64, this will impact on an additional area of farmland to the north. Development would inevitably result in a substantial loss of agricultural land within the countryside and its replacement with housing infrastructure and open space. The scale of development envisioned could potentially support a free standing, sustainable community in this location.

6.0 SUMMARY OF FINDINGS

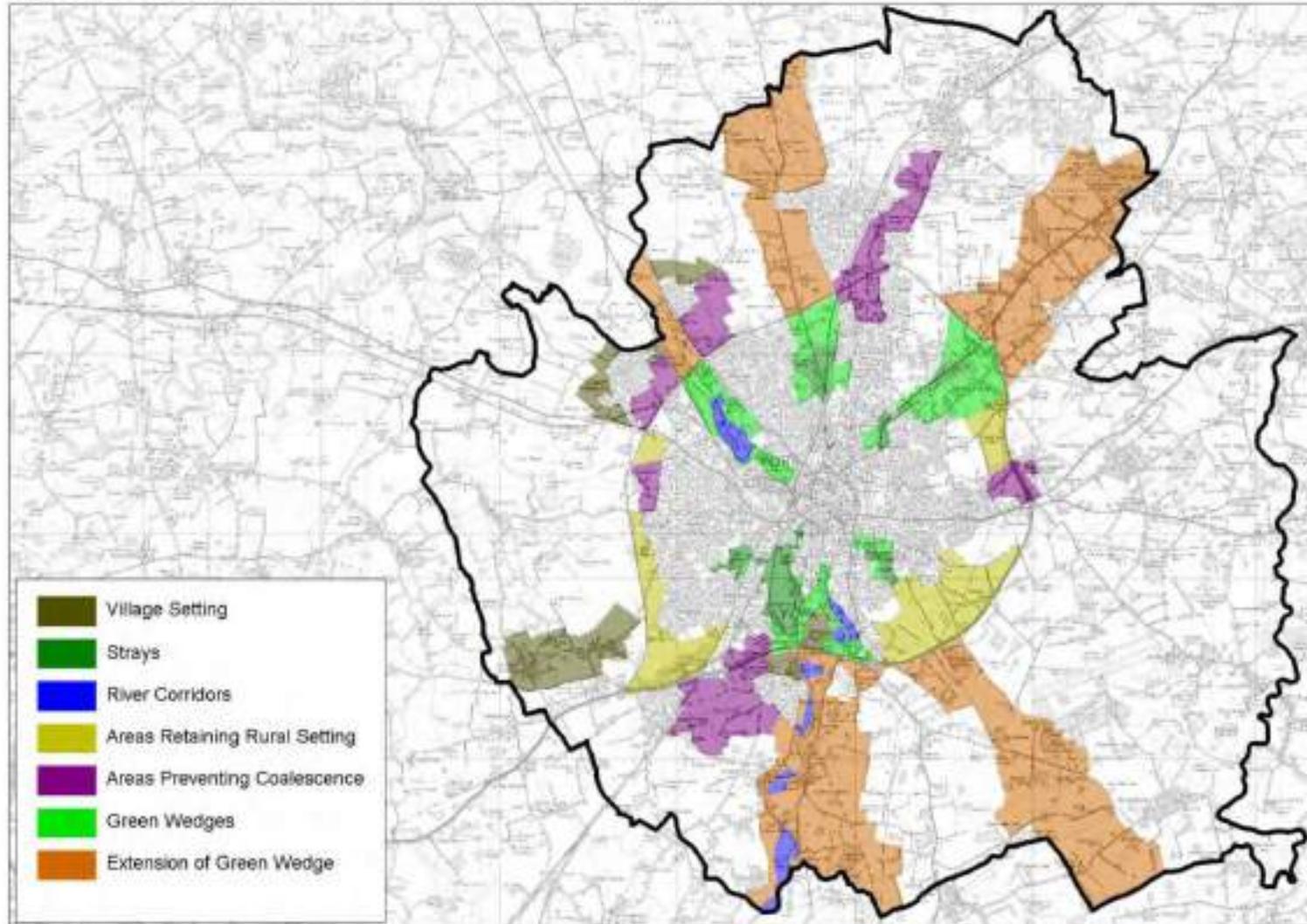
- 6.1 The assessment of the six sites is set out on the summary sheets in the preceding section and the findings are briefly considered below.
- 6.2 The land at North Field, York has been rejected by Officers at York City Council owing to the perceived impact development would have on the historic character and setting of York and potential coalescence with the village of Knapton. CSA Environmental has undertaken an assessment of the site at North Field as part of the supporting representations to the emerging Local Plan. Contrary to the Council's findings, this assessment identified that the site does not play an important role in the historic setting of York and that sensitively designed development could be accommodated.
- 6.3 The assessment found that development would be well related to existing housing in York and would form a sustainable urban extension to the city. It did however acknowledge that development would reduce the separation between York and the Outer Ring Road and to the settlement at Knapton. Despite this, the existing development edge at Acomb presents a rather 'blunt' edge to the settlement and a sensitively designed housing scheme which maintains a landscaped / farmland buffer to the Ring Road could be provided which respects the rural setting of this approach to the city. In addition, housing which is closely related to the edge of York would assist in maintaining the impression of a 'compact' city.
- 6.4 Similarly, housing in this location will reduce the separation between York and Knapton, however it would clearly relate to development in York and a significant buffer to respect the setting of the village could be retained.
- 6.5 The overview, in Section 4, identified that development on land east of Metcalfe Way would result in a significant expansion of housing at the eastern edge of York. Given the proximity to housing in York it would be difficult to distinguish from other development in York in views from the Ring Road. In addition, it would intrude on key views from the Ring Road towards the historic core of York.
- 6.6 In terms of the land to the north of Monk's Cross the overview identified that development would extend the existing settlement at Huntington. Existing housing at the edge of the settlement is well contained within the existing landscape framework and new housing would be visible in views from Monk's Cross Link (road) and from the Outer Ring Road. Development would also impact on the rural character of the approach to the settlement along North Road.

- 6.7 In relation to the land north of Haxby the overview found that the proposed development would result in the loss of pleasant farmland with a distinctive historic landscape pattern. The intact landscape structure of small fields would constrain housing and access across the site. In addition, the proposals would result in expansion of the settlement to the north which would be apparent from the approaches along Moor Lane and Usher Lane.
- 6.8 Development on land west of Wigginton would provide a new settlement within open countryside to the north of the Outer Ring Road. The Overview found that development here would impact on the separation between York, Haxby and Skelton and would inevitably result in encroachment into the countryside. Additional housing would add to the housing within the rural landscape to the north of York, which has already seen significant post war expansion at the edge of Haxby and Skelton.
- 6.9 Development on land to the west of Elvington Lane will provide a new settlement to the south east of York. Development of this scale will potentially impact on a number of designated wildlife areas and will impact on an area of countryside, albeit the southern part of the site contains the former runway. The scale of development envisioned could potentially support a free standing, sustainable community in this location.
- 6.10 This Overview identified that there are a number of constraints to development within the strategic sites identified within the emerging Local Plan. A key consideration of the spatial strategy for development in York is its historic and landscape setting, however this has led to the identification of a number of free standing settlements on the periphery of York. These are potentially less sustainable and will impact on large areas of open countryside.
- 6.11 There are a number of landscape constraints to development at North Field however these can be addressed by sensitive and appropriate master planning of development on the site. Development here could provide a sustainable urban extension in close proximity to housing at the edge of York.

Appendix A

Figure 3.1 Historic Character and Setting of York
(Extract from the City of York Local Plan – Pre-Publication Draft
(Regulation 18 Consultation September 2018))

Figure 3.1: Historic Character and Setting of York



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From: Grundy, Simon [Simon.Grundy@carterjonas.co.uk]
Sent: 05 April 2018 10:09
To: localplan@york.gov.uk
Cc: Brear, Josh; Sarah Griffiths (Gallagher Estates)
Subject: Local Plan – representations for Gallagher Estates - email 1 of 2 [CJ-WORKSITE.FID414879]
Attachments: Appendix 1.pdf; Appendix 2.pdf; Appendix 3.pdf; Appendix 4.pdf; Appendix 5.pdf; Appendix 6.pdf

Further to our representations yesterday, for completeness please see attached for the appendices to Appendix 2, as previously submitted in October 2017 for the Regulation 18 consultation.

Finally, please call me on 07917 773671 if you wish to discuss or require any further information.

With best wishes

Simon Grundy
Partner

For and on behalf of Carter Jonas LLP
T: 0113 203 1095
M: 07917773671
W: carterjonas.co.uk

Carter Jonas





Please consider the environment - do you really need to print this email?

From: Grundy, Simon

Sent: 04 April 2018 15:01

To: 'localplan@york.gov.uk' <localplan@york.gov.uk>

Cc: Brear, Joshua (Josh.Brear@carterjonas.co.uk) <Josh.Brear@carterjonas.co.uk>; 'Sarah Griffiths (Gallagher Estates)' <Sarah.Griffiths@gallagherestates.com>

Subject: City of York Local Plan Publication Draft consultation – representations for Gallagher Estates [CJ-WORKSITE.FID414879]

Dear Sirs,

Further to the above please see attached for completed form and representations statement plus appendices on behalf of Gallagher Estates.

We look forward to acknowledgement of receipt.

With best wishes

This e-mail does not constitute any part of an offer or contract, is confidential and intended solely for the use of the individual(s) to whom it is addressed. If you are not the intended recipient be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. Although the firm operates anti-virus programmes, it does not accept responsibility for any damage whatsoever that is caused by viruses being passed. Carter Jonas LLP is a Limited Liability corporate body which has "Members" and not "Partners". Any representative of Carter Jonas LLP described as "Partner" is a Member or an employee of Carter Jonas LLP and is not a "Partner" in a Partnership. The term Partner has been adopted, with effect from 01 May 2005, because it is an accepted way of referring to senior professionals.

Carter Jonas LLP

Place of Registration: England and Wales

Registration Number: OC304417

Address of Registered Office: One Chapel Place, London, W1G 0BG.

From: Grundy, Simon [Simon.Grundy@carterjonas.co.uk]
Sent: 04 April 2018 15:01
To: localplan@york.gov.uk
Cc: Brear, Josh; Sarah Griffiths (Gallagher Estates)
Subject: City of York Local Plan Publication Draft consultation – representations for Gallagher Estates [CJ-WORKSITE.FID414879]
Attachments: 180404 - City of York Local Plan representations - Gallagher Estates.pdf; Appendix 1 - Further Review of the OAN for Housing in York - Mar 2018.pdf; Appendix 2 - Oct 2017 representations.pdf; Comments_form_Site 871.pdf

Dear Sirs,

Further to the above please see attached for completed form and representations statement plus appendices on behalf of Gallagher Estates.

We look forward to acknowledgement of receipt.

With best wishes

Simon Grundy
Partner

For and on behalf of Carter Jonas LLP

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Carter Jonas LLP

Place of Registration: England and Wales

Registration Number: OC304417

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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		Simon
Last Name		Grundy
Organisation (where relevant)	Gallagher Estates	Carter Jonas
Representing (if applicable)		Gallagher Estates
Address – line 1	c/o agent	9 Bond Court
Address – line 2		Leeds
Postcode		LS1 2JZ
E-mail Address		simon.grundy@carterjonas.co.uk
Telephone Number		0113 223 4142

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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

Yes

No

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

Yes

No

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

The plan is not legally compliant as it is not based upon a robust Sustainability Appraisal that includes an up-to-date assessment of alternatives spatial strategies and/or housing allocations.

We have no comment in respect of 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	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

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

(Complete any that apply)

Paragraph no.

Section 2, 2.1-2.16

Policy Refs.

DP1, SS1, SS2, SS4-SS20, H1 – H5, H9, H10

Site Ref.

SHLAA Ref. 871

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 statement of case

6. (1) Please set out what change(s) you consider necessary to make the City of York

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

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 statement of case

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:

In order to fully explore the material considerations in respect of this site through the local plan process it is necessary to attend the Examination in Public to participate in the associated round table hearing sessions.

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.¹

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.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

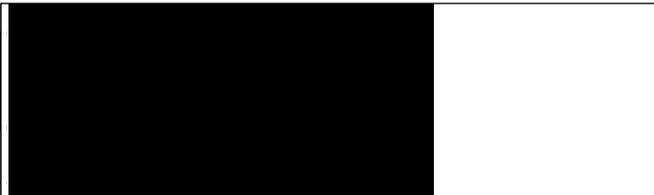
Retention of Information

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.³

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 or on [01904 554145](tel:01904554145)

Signature		Date	04 April 2018
------------------	---	-------------	---------------

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**CITY OF YORK LOCAL PLAN
PUBLICATION DRAFT (FEB 2018)
REGULATION 19 CONSULTATION**

REPRESENTATIONS

March 2018
On behalf of Gallagher Estates
J0015918 – Land at North Field

Carter Jonas

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Appendices

Appendix 1: Further Review of the Objectively Assessed Need for Housing in York - March 2018

Appendix 2: Representations to the City of York Local Plan Pre-publication Draft (Regulation 18 consultation) – October 2017

1.0 INTRODUCTION & EXECUTIVE SUMMARY

- 1.1 Carter Jonas LLP welcomes the opportunity to make representations upon the February 2018 City of York Local Plan Publication Draft (the PDP) on behalf of Gallagher Estates Ltd. (Gallagher). These representations are pursuant to and cross-reference with previous representations by Turley at Preferred Sites and Pre-Publication Draft (Regulation 18) stages (the latter enclosed at Appendix 2).
- 1.2 Gallagher has a controlling interest in the land at North Field, York, which we again propose for allocation for housing. The land is Site Reference 871 within the Strategic Housing Land Availability Assessment (SHLAA) (2017). Our client is keen to work with the City of York Council to help ensure a sound Local Plan can be adopted as soon as possible. We will be pleased to engage with the Council upon matters of housing need and delivery, and site-specific matters to facilitate swift progress.
- 1.3 We note that the Minister for Housing, Communities and Local Government (HCLG) has confirmed (as of 23 March 2018) the council is not one of those selected for intervention. However, a watching brief will be maintained by HCLG to ensure the Council continues to meet the published timetable set out within the Local Development Scheme. Notwithstanding this, we have major concerns over the soundness of the plan as currently proposed which will impact upon the timetable for Plan and prolong the continued failure to plan to meet the needs of the City of York.
- 1.4 In summary our main representations are as follows:

Vision, Spatial Strategy and the Housing Requirement

- The Vision and Outcomes are not justified or effective as they are not backed by sufficient evidence and positive policies to meet the identified housing need.
- The housing requirement and the predicted housing supply is not justified, effective or consistent with national planning policy or even the council's own evidence base.
- In particular, the minimum annual provision of 867 new dwellings per annum is not based upon any robust objective assessment of need – even the council's own evidence base gives an OAN of 953dpa.
- As a result, the draft plan will not deliver sufficient new housing or the much needed boost to the level of supply indicated by the available evidence.
- Based on the available evidence, the plan should provide for a minimum of 1,070 new dwellings per annum.
- Even founded on a figure of 867dpa the plan proposes insufficient housing land to meet its proposed requirement.
 - The spatial strategy relies too heavily on a number of key large and/or complex sites and over-optimistic and unsupported assumptions over both timing and number of dwellings to be delivered.

- The draft plan also includes over-optimistic assumptions over the predicted level of windfall.
- Indicative densities are too high, giving unrealistic yield per hectare assumptions and potentially resulting in poor quality development and lack of new housing choice.

The Green Belt

- The concept of sustainable urban extensions should be re-introduced to make up the projected shortfall in supply and improve future range and choice.
- The draft plan is unsound and in conflict with the NPPF as no safeguarded land is proposed to help meet “longer term needs stretching well beyond the plan period”.
- The proposed Green Belt is unsound as it is drawn to unreasonably restrict development opportunities for the necessary growth of York.

Site selection and the case for land at North Field, York

- As noted below, the emerging spatial strategy changed when options including 42% of new housing delivery through extensions to the main urban area were dismissed to be replaced by additional land beyond the Ring Road and within three freestanding settlements described as garden villages.
- Whilst the Sustainability Appraisal considers the strategic sites against each other it fails to reassess them against legitimate alternatives such as the proposed urban extensions.
- In effect, the Sustainability Appraisal fails to provide a comparative assessment of urban extension Site 871: Land at North Field, York as a reasonable alternative against the selected sites.
- The A1237 to the west of Acomb would form a logical, permanent and strong Green Belt boundary and a well-defined edge to the built-part of the city at this point.
- Our client’s land at North Field, York is fully deliverable and represents one of the most appropriate sites for allocation when considered against reasonable alternatives and our client and the relevant landowners are willing parties.
- We demonstrate that:
 - The site occupies a highly sustainable location within close proximity to the existing facilities and services of Acomb District Centre;
 - It is well connected via existing sustainable transport network, including bus stops on Beckfield Lane providing access to the City Centre, a train station at Poppleton and a recently completed park and ride facility on the A59;
 - The development of the site as proposed provides opportunities to improve local community facilities, including the provision of new public open space and a

primary school and will deliver significant economic, social and environmental benefits;

- The development will deliver new and much needed affordable housing;
 - The development can sensitively address the relationship between the urban edge of York and the settlement of Knapton through the inclusion of a green gap between the site and Knapton. The development will not result in significant harm to the Green Belt and its key purposes.
 - The development offers the potential to facilitate the delivery of the York Outer Ring Road project through dedicating land along the site's frontage to enabling the dualling of the A1237 to be achieved, thereby avoiding the need for the Council to acquire land and be exposed to the costs, delays and risks associated with this.
- In summary, the North Field, York site should be released from the Green Belt and allocated for housing.

1.5 We have provided a structured response which addresses the policies within the PDP, as follows:

- Section 2 sets out our response to the document as a whole and general approach of the Pre-Publication Draft Local Plan;
- Section 3 covers spatial strategy and the overall housing requirement
- Section 4 relates to housing
- Section 5 sets out and summarises the case for the allocation of land at North Field, York.
- Section 6 summarises our conclusions

1.6 We have completed a representation form to which this statement is attached and includes the request to participate in the examination.

2.0 THE OVERALL DOCUMENT & GENERAL POLICIES

Background

- 2.1 Within this response, our comments are directed at specific parts of the Publication Draft Plan, which we consider make the document 'unsound'. Our response addresses the issues of soundness set out in paragraph 182 of the National Planning Policy Framework (NPPF) (2012). These require that the Plan should be: -
- Positively Prepared;
 - Justified;
 - Effective and
 - Consistent with national planning policy.
- 2.2 We have some initial comments in regards the document as a whole. Principally the concerns are as follows: -
- Following a long and troubled preparation over many years and as a result of recent Council decisions on growth the Publication Draft Plan is not sufficiently strategic in focus and fails to provide a clear strategic direction for the City;
 - In view of the proposed unreasonably low level of housing growth set at 867 dpa the plan fails to respond to the direction of travel contained within CLG's White Paper 'Fixing our Broken Housing Market' (Feb 2017), 'Planning for the Right Homes in the Right Places: Consultation Paper' (September 2017) and the recent draft National Planning Policy Framework and Planning Policy Guidance issued in March 2018 and associated documents.
 - In effect, as a result of the housing land shortfall the plan will fail to significantly boost housing land supply, address affordability or 'fix the broken housing market' across the city.
- 2.3 It is considered that a significant amount of work still needs to be done to make the Local Plan sound. As it stands, the document is:
- Not justified because is not based on an robust and credible evidence base, and is not the most appropriate strategy when considered against reasonable alternatives;
 - Not effective due to issues of flexibility and does not plan properly to meet the identified needs; and
 - Not consistent with current and emerging national planning policy.
- 2.4 Our specific comments are set out below on a section-by-section basis.

Section 2: Vision and Development Principles

- 2.5 The Vision and Outcomes at p16 are fairly generic and fail to say anything about the need for housing growth to help both deliver and underpin the sustainable development aims and objectives.
- 2.6 Paragraphs 2.1 and 2.2 promote the key role of York in leading Sub-Regional economic growth and new job creation whilst as safeguarding existing employment provision. The aim is to deliver 650 new jobs per annum. Paragraph 2.5 acknowledges the need to provide new homes in the form of “sufficient land for 867 dwellings per annum. Specific reference is made to ‘garden village’ developments at three locations plus “major sustainable urban extensions such as British Sugar and York Central.”
- 2.7 Policies DP1 and DP2 of the Publication Draft Plan acknowledge the need for development to meet housing needs. DP1 aims to ensure:
- The housing needs of the City of York’s current and future population including that arising from economic and institutional growth is met within the York local authority area.*
- 2.8 We wholeheartedly welcome this aim, although for the Vision to be ‘sound’ it should also explicitly acknowledge the need to provide affordable housing and diversify the housing market.
- 2.9 We have significant concerns that the Plan will not effectively meet the development principles of Policy DP1 aims, as set out above. It is well documented that the housing target set out within the publication Plan is not appropriately justified and should be increased to seek to meet the housing needs and economic growth in the area

3.0 SPATIAL STRATEGY AND THE HOUSING REQUIREMENT

Policy SS1: Delivering Sustainable Growth for York

- 3.1 Policy SS1 is not considered to be sound as it is not positively prepared, effective or consistent with national policy for the following reasons.
- 3.2 In light of the 2018 Turley OAN report (Appendix 1) and wider evidence base, our client objects to the housing requirement being set at 867 dwellings per annum and concludes that the OAN should be closer to 1,000 dwellings per annum.
- 3.3 The Council's own evidence base, in the form of the GL Hearn Strategic Housing Market Assessment (May 2017 - the SHMA) clearly recommends that, based on their assessment of market signals evidence and some recent Inspectors decisions, the council should include a 10% market signals adjustment to the 867 figure, resulting in a requirement of 953 dwellings per annum.
- 3.4 The Plan ignores the supporting evidence base conclusions and provides no clear or sound justification for not making an adjustment for market signals in light of Government guidance. The Publication Draft Plan text at paragraph 3.3: Housing Growth is silent on the methodology behind the selection of the 867dpa figure. There are significant issues of housing affordability within the city which needs to be addressed and there is no evidence of any recent improvement in this respect. This is in breach of the NPPF core planning principle at paragraph 17, bullet point 4. The decision makers at City of York Council Local Plan Working Group and Executive meetings in January 2018 had every opportunity to aim for a more reasonable, justified and positive target for housing delivery. This would have been fully supported and justified by the SHMA evidence base, officer recommendations (including suggested additional housing sites) and statements of case by many representors. However, the members of those committees failed to take this opportunity, choosing a figure based on only part of the GL Hearn findings. This approach is wholly unjustified and in breach of the aims and objectives of draft Policy DP1 as noted above.
- 3.5 As such, the housing requirement of 867 per annum fails to comply with Planning Practice Guidance and as a result the Publication Draft Plan fundamentally fails to provide for the evidenced housing growth requirement and is therefore patently unsound.
- 3.6 Furthermore, an additional economic uplift based upon representations from businesses and bodies such as the York Chamber of Commerce and ambitions of the Local Enterprise Partnership should reflect the confirmed role of York as a "key economic driver". As paragraph 4.5 of the 2018 Turley OAN Report at Appendix 1 notes, the 10% uplift would be the absolute minimum level of adjustment necessary. The report suggests a figure of circa 1,000dpa. The lack of reasonable explanation for not including an economic uplift is contrary to PPG advice at Paragraph: 004 Reference ID: 2a-004-20140306, as follows:

...the use of this standard methodology set out in this guidance is strongly recommended because it will ensure that the assessment findings are transparently prepared. Local planning authorities may consider departing from the methodology, but they should explain why their particular local circumstances have led them to adopt a different approach where this is the case.

3.7 Given the real prospects of the plan being found unsound at the earliest juncture, the council should allow for a significant increase from the 867 figure towards the 1,070dpa confirmed within the Planning for the Right Homes Publication Data spreadsheet. As a result, we consider the OAN figure for York is closer to 1,000 dwellings per annum to meet demographic needs and provide a reasonably necessary response to market signals, which should be planned for in the dual interests of flexibility of supply and positive planning. This follows directly from the conclusions at paragraphs 4.3 – 4.9 of the 2018 Turley OAN Report, as follows:

4.3 At a fundamental level, Gallagher Estates continues to be concerned with the Council's disregarding of the evidence set out in the SHMA Update, and its decision to "agree" only with the scale of housing need suggested by the 2014-based household projections. The unjustified dismissal of the market signals adjustment subsequently applied by its consultant's results in a figure derived only from a partial application of the PPG methodology, with this approach not objective or sound. The continued omission of any reference to the concluded OAN for 953 dwellings per annum is strongly challenged by Gallagher Estates.

4.4 A review of submissions to the previous stage of consultation confirms that similar concerns around the interpretation of the OAN evidence were expressed by a number of representors, with concerns around its calculation also noted. The Publication Draft Plan fails to respond to these concerns.

4.5 Our previous technical review identified the following principal points of concern with regards to the Council's OAN evidence and its interpretation into policy:

- **The selection of a demographic projection which failed to allow for an improvement in younger household formation**, despite the SHMA Update confirming that 873 dwellings per annum would be needed to facilitate such an improvement;*
- **The omission of any adjustment to respond to the evidenced worsening in market signals**. The 10% uplift recommended in the SHMA update – but disregarded by the Council – has been commonly viewed as the absolute minimum level of adjustment necessary and justified in York, with at least one representor arguing that a higher uplift of 20% is required; and*

- **The absence of clear justification for the Council's comparatively low employment growth target**, which contrasts with its apparently more ambitious economic strategy. The omission of technical detail and transparency on the modelling assumptions made in testing the alignment between housing need and job growth also restricts proper consideration of the extent to which labour availability may constrain the realisation of economic objectives over the plan period.

4.6 The above points of critique led Turley to previously conclude that closer to 1,000 dwellings per annum are likely to be needed in York to meet demographic needs and provide the absolute minimum response of 10% reasonable and necessary to respond to market signals. This conclusion remains valid, and indeed is reinforced by evidence of a continued worsening in market signals which – if not addressed – will result in a further deterioration in the affordability of housing in the city. York already ranks amongst the least affordable authorities in the north, particularly at entry level.

4.7 A review of other representations has identified three alternative OAN assessments submitted during the previous stage of consultation which similarly concluded that in excess of 1,000 dwellings per annum are needed in York, broadly aligning with the indicative outcome of the proposed standard method for calculating housing needs (1,070dpa). This suggests an annual need for around a quarter (23%) more homes than the Council intends to provide through the Local Plan, as a minimum.

4.8 The proposed housing requirement is therefore derived from evidence which fails to comply with the PPG, against which its soundness will be tested before the introduction of the new standard method. This failure to ensure consistency with national policy – coupled with the lack of justification for an approach which will not be effective in meeting York's housing needs through a positively prepared Local Plan – means that the Publication Draft Plan fails the tests of soundness defined through the NPPF.

4.9 In the context of an acknowledged failure to plan for the full need for housing, it is apparent that other neighbouring authorities – with which the city has the strongest housing market relationships – do not have any stated intention to meet the unmet needs of York. Contrary to national policy, this will leave a significant level of housing needs unmet, detrimentally impacting upon households and the ongoing sustainability of the city as well as failing to contribute to addressing an acknowledged national housing crisis. 3.6 The Publication Draft Plan housing requirement of 867 dwellings per annum wholly fails to meet the requirements of the PPG and NPPF and in light of paragraph 182 of the NPPF it is not positively prepared, justified, effective and consistent with national planning policy.

Policy SS2: The Role of York's Green Belt

3.8 The General Extent of Green Belt for York was established by The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2013. We welcome the opportunity for the establishment of detailed Green Belt boundaries for the first time and consider that this issue goes to the heart of a sound plan for the city. Under 'saved' Policy YH9 of the Yorkshire and Humber Plan the council must "*establish long term development limits that safeguard the special character and setting of the historic city*". However, in establishing the inner and outer Green Belt boundaries, the council must also bear in mind the need to:

- allocate sufficient land to be allocated for development; and
- identify areas of 'safeguarded land' for potential development beyond 2033.

3.9 As a result of the historic restraining effect of the General Extent of Green Belt on new housing development and as well documented, there is significant pent-up housing demand and affordable housing need across the city. Land for housing within the built-part of York is at a premium and the Publication Draft Plan already takes into account key strategic regeneration sites and their capacity to deliver new housing. Previously developed land is a finite resource and historic rates of new housing on brownfield sites are most unlikely to be maintained for the plan period.

3.10 Despite this, the proposed Green Belt boundaries within the plan have clearly been drawn up with maximum development restraint in mind. Given the proposed Green Belt boundaries are in no small part based upon a highly flawed approach under SS1 (as noted above), it stands to reason that Policy SS2 as written cannot be considered sound as it is not effective and justified. As highlighted above we recommend that the Plan includes a minimum housing requirement of at least 1,000 dwellings per annum in order to meet the OAN for the City. Taking into account this and unrealistic assumptions on delivery, further land for housing will need to be identified and this will of necessity be within the General Extent of Green Belt given the Green Belt boundaries are tightly drawn around the urban extent of the City.

3.11 In respect of the overall housing requirement and the need for the release of land from the General Extent of Green Belt to meet the OAN we cross-refer to the October 2017 representations on behalf of Gallagher Estates, appended herewith at Annex 2 for ease of reference. Paragraph 4.21 of those representations by Turley includes Tables 4.1 and 4.2, covering the land to be released from the General Extent of Green Belt for both 867 and 1,070dpa scenarios.

3.12 Paragraph 4.22 summarises the findings as follows:

The above calculations demonstrate a need to release land capable of delivering at least 9,653 residential units from the Green Belt to meet needs over the plan period and beyond based on a requirement for 867 residential units per annum, or 17,275 units based on a

requirement for 1,070 units per annum. This compares to the Local Plan proposal to release 347 ha of land from the Green Belt to deliver 6,590 units, representing a shortfall of between 4,051 and 10,685 units and approximately 202 to 534 ha.

- 3.13 Furthermore, given the absence of any full review of the General Extent of Green Belt since its introduction and in view of NPPF advice at paragraph 85, it is also considered necessary to formally identify Safeguarded Land to meet longer-term development needs stretching well beyond the plan period, and to ensure the Council is satisfied that the adopted Green Belt boundaries will not need to be altered at the end of the development plan period. Whilst we recognise that the Publication Draft Plan seeks to provide “further development land to 2038” (paragraph 3.13) this falls well short of the NPPF paragraph 85 requirement to:

*...meet longer-term development needs **stretching well beyond the plan period.** (CJ emphasis)*

- 3.14 In summary, more land should be released from the General Extent of Green Belt to be allocated for housing to meet a significantly increased OAN and safeguarded land should also be allocated for development needs well beyond 2038. We therefore suggest that to render Policy SS2 sound it should be modified as follows:

*To ensure that there is a degree of permanence beyond the plan period sufficient land is allocated for development to meet the needs identified in the plan and for a further minimum period of five years to 2038, **with additional land released from the General Extent of Green Belt to be safeguarded for development beyond the plan period.** (CJ amendments in bold).*

Spatial Strategy: Key Housing Sites - Policies SS4 – SS20

- 3.15 Whilst we do not go into detail on each of the key sites set out between pages 32-69 of the Publication Draft Plan we have deep-seated concerns in respect of (1) the over-reliance on large, strategic sites (including new settlements) and (2) the unrealistic yields being suggested.

Policy SS4: York Central

- 3.16 Whilst at this stage we do not go into the details and evidence base behind Policy SS4 we note that the suggested yield includes a significant degree of optimism in terms of programme and delivery rates on the one hand and an unreasonably broad range of potential housing yield stated within Table 1 of the reports to the Local Plan Working Group and Executive (both January 2018), ranging from 1,700 – 2,500 dwellings. In particular, the suggested “1,700 – 2,500 dwellings, of which a minimum of 1,500 dwellings will be delivered in

the plan period” is too broad a range, demonstrating a lack of clear understanding of true site potential and likely yield during the plan period.

- 3.17 It is worth noting that the suggested range of 1,700 – 2,500 dwellings doesn't correlate with the council's own York Central webpage which states:

The current proposals are subject to further technical work and consultation, but current suggestions include 1,000 to 2,500 homes...

Policy SS6: British Sugar/Manor School

- 3.18 As with SS4 above we do not go into the details behind Policy SS6 at this stage. However, consider the suggested 1,200 dwelling yield includes a significant degree of over-optimism. This is highlighted through the October 2017 Planning Committee report for the undetermined planning application ref. 15/00524/OUTM which refers to “up to 1,100 dwellings” and then with the subsequent January 2018 Design and Access Statement setting out a range of scenarios resulting in as few as 675 units (Option A, at 35dph), up to a maximum of 1,076 units (Option C, at 45dph).

Policy SS19 and 20: Queen Elizabeth Barracks and Imphal Barracks

- 3.19 Given the stated intentions of Defence Infrastructure Organisation (DIO) there would appear to be a significant prospect of the land becoming available. However, these DIO sites remain operational until Queen Elizabeth Barracks (QEB) and Imphal Barracks (IB) are vacated by existing users. As stated in previous representations (see Appendix 2), concerns are raised in relation to the reliance on such sites to deliver the plan's housing requirements as this strategy represents a significant risk insofar as there is also a prospect of current operators deciding to retain control. This is especially a risk in the case of IB, which is not expected to be disposed of until 2031 at the earliest.

Site Selection and the Spatial Distribution of Housing Sites

- 3.20 Policy SS3 of the 2013 Draft Local Plan proposed to “Make provision for 42% of need within urban extensions to the main built up area”. Section 3 of the Publication Draft Plan fails to re-establish the principle of urban extensions, with the allocation of strategic sites beyond the built part of York and inset within the Green Belt being proposed instead. These include Site ST14: Land to the West of Wigginton Road and ST15: Land to the West of Elvington Lane. Whilst the Sustainability Appraisal considers the selected sites against each other it fails to reassess them against alternatives such as the dismissed urban extensions. We maintain this renders the plan unsound and that urban extensions in sustainable locations, such as the Land at North Field, should be reintroduced to help make up the expected delivery shortfalls against OAN noted throughout these representations and to increase flexibility and broaden choice.

3.21 Paragraphs 5.11 – 5.46 of the appended October 2017 representations for Gallagher by Turley set out further detailed concerns over the approach taken in respect of spatial distribution of development and housing site selection which we carry forward as part of these submissions. Gallagher confirms that the previous representations covering site selection and the spatial distribution of housing sites still stand and should be taken into account as the plan progresses to submission and examination. Those concerns are summarised as follows:

- Inconsistency with previous preferred spatial distribution approach toward prioritising development within and extensions to the main urban area
- The uncertainty over transportation and community infrastructure for standalone new settlements.
- The reliance on large, strategic sites including new free-standing settlements has not been properly tested through an updated Sustainability Appraisal.
- The smaller new settlements (Allocations ST7 and ST14) *“will deliver just 845 and 1,348 units in total respectively”*, falling short of the critical mass required to fund the provision of the necessary community and sustainable transport infrastructure needed.
- The Green Belt appraisal in support of the proposed allocations is not compliant with the NPPF.
- The discounting of sites on Green Belt grounds in the absence of consideration of wider sustainability benefits and alternatives is wholly unsound.
- The selection of sites in the absence of a robust and up-to-date Green Belt assessment is similarly unsound.
- These matters combine to render the plan fundamentally unsound.

3.22 In conclusion, due to the need to allocate additional land for housing as set out throughout these latest representations, Gallagher maintains that urban extension sites represent a more sustainable alternative compared to any additional new settlement options. This approach has not been sufficiently re-tested through the Sustainability Appraisal 2018 as an appropriate alternative.

3.23 In addition, we note that an updated and amended Sustainability Appraisal (SA) has been published, as of February 2018. The comments made in the Turley October 2017 representations in respect of the wider sustainability appraisal process still remain. However, we specifically note that neither the updated SA Appendix H Appraisal of Allocations and Alternatives nor Appendix I: Appraisal of Strategic Sites and Alternatives include a comparative assessment of Site Ref. 871: Land at North Field, York. This represents a further reason to deem the Publication Draft Plan unsound.

4.0 HOUSING

Policy H1: Housing Allocations

- 4.1 This section of the plan seeks to set out *the “policies and allocations to positively meet the housing development needs of the city”*. We maintain for the reasons given above, the proposed housing allocations will not meet the appropriate level of OAN for the City over the plan period. In this respect the plan is not sound, justified, effective or in accordance with national policy.
- 4.2 It is vital the Council produces a plan which can deliver against its full housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period and that the plan allocates more sites than required to meet the housing requirement as a buffer. To meet NPPF requirements for the plan to be positively prepared and flexible the buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites. Gallagher suggests a contingency of at least 10% to the overall housing land supply to provide sufficient flexibility for unforeseen circumstances and in acknowledgement that the housing requirement is proposed as a minimum not a maximum figure.
- 4.3 As far as we are aware, the Council has not provided a robust assessment of trajectory for the housing allocations and therefore it is difficult to provide a detailed analysis of the likely delivery rates of the individual sites. However on the limited information available it is considered that the Publication Draft Plan significantly underestimates the length of time it will take for the housing allocations to start delivering completions. A significant amount of supply is based upon the regeneration sites and large strategic allocations set out within Section 3: Spatial Strategy and therefore are likely to take a number of years to achieve detailed planning permission given the requirements for, *inter alia*, remediation, Environmental Impact Assessment and complexities of the likely Section 106 Agreements involving the delivery of new schools, local centres and significant pieces of infrastructure etc.
- 4.4 Furthermore, a number of the sites are under multiple ownerships and therefore may take many years for land assembly to take place and the drawing up contractual agreements with developers. These combined factors mean that a large number of the housing allocations are unlikely to start delivering completions within the first 5 years of the plan period.
- 4.5 Our client is concerned that the methodology used for determining the capacity of the proposed allocations has overestimated the amount of housing that will be delivered on the sites and as such the reliance on these sites could render the Plan ineffective due to more realistic lower yields. It is considered that the build out rates and density levels contained in the SHLAA are not realistic or robust. To illustrate this it is worth noting the very broad estimated 1-10 year phasing within Table 5.1 for key sites such as H1: Heworth Green Gas Works and H7: Bootham Crescent. In addition, the SHLAA overestimates gross to net site ratios, which is a particular problem for large sites which will require substantial on-site infrastructure and ancillary uses such as public open

space, schools, local services and facilities, flood attenuation ponds and swales, significant adoptable road networks etc. The assumptions used in the SHLAA do not appear to be supported by any local evidence.

- 4.6 As evidenced by the Windfall Technical Paper, the housing supply makes an allowance for windfall sites of 169 dwellings per annum from plan year 4. As noted above, previously developed land is a finite resource and, similarly, historic rates of windfall are most unlikely to be maintained for the plan period. Furthermore, we note the allocation of smaller sites (e.g. Site H53 Land at Knapton Village for 4 dwellings). In the past, these smaller sites for only a handful of units might otherwise have been considered as windfall should they come forward and as a result their allocation would detract from projected windfall based on historic rates. Gallagher therefore objects to the inclusion of over 2,000 units of windfall within supply as being wholly unsupported, unsound and lacking justification. It is understood that Government guidance enables allowances to be made for windfall contribution. However, we suggest that it would be more effective to regard any contribution from windfalls as a boost to supply due to their uncertainty in delivery and the shortfall made up of appropriately planned for, allocated sites.
- 4.7 The above will necessitate additional housing allocations being identified. Failure to identify additional housing will impact upon the overall delivery of the Local Plan aims and objectives to meeting housing need.

Policy H2: Density of Residential Development

- 4.8 We envisage that the high housing densities within Policy H2 represent part of the council's case to minimise housing land allocations and thus the need to remove land from the General Extent of Green Belt. Development densities of 100 dwellings per hectare within the city centre and 50 dwellings per hectare within the wider urban area are unrealistically high and would lead to lack of choice and poor standards. As currently drafted, Policy H2 is not considered to be sound as it is not effective, justified or consistent with national policy.
- 4.9 Whilst paragraph 47 of the NPPF indicates local authorities can set out their own approach to housing density this should be based upon local circumstances and not harm the overall objective of boosting significantly housing supply.
- 4.10 Gallagher considers that the appropriate evidence is not available to support this policy as written. The high-density development proposed in this policy may be difficult to market as it would be likely to result in poor internal standards of residential amenity, small garden areas, no garages and little parking. It is considered that lower density developments would be more marketable, and the policy should be amended to allow for this flexibility. We recommend the inclusion of an additional category of Sustainable Urban Extensions with densities set between 25-35dph.
- 4.11 As noted above, the proposed high densities and in particular the 50dph proposed within the York urban area would lead to smaller units and more cramped layouts being proposed. Unless the suggested densities are reduced, Policy H2 will also be in conflict with other Government initiatives such as the Nationally Described

Space Standard which seeks increased total floorspace and better standards of internal amenity per dwelling and against the interests of providing good quality new housing to meet the high levels of demand.

Policy H3: Balancing the Housing Market

- 4.12 Gallagher maintains that the housing market and the appropriate mix of housing will vary both with time and within different parts of the housing market. We maintain that greater flexibility should be built into Policy H3 as the optimum mix for any proposed housing development to reflect market demand and aspirations alongside need over the plan period.

Policy H4: Promoting Self and Custom House Building

- 4.13 In view of the lack of market evidence over the willingness of self-builders and/or small/custom house-builders to build within larger sites of 5ha plus, Gallagher objects to Policy H4 in principle and will maintain a watching brief in respect of Policy H4. We will review this stance in the event that such demand can be identified by the council.

Policy H5: Gypsies and Travellers

- 4.14 Gallagher is concerned that housing sites of 5ha or more will be expected to meet the need of *“those 44 Gypsies and Traveller households that do not meet the planning definition”* and we note the HBF has similar concerns. We agree with the HBF that *“further clarity is needed in relation to why provision is needed for those households no longer meeting the definition; whether a pitch on a strategic allocation is an appropriate location for these households particularly at the numbers proposed; what will happen to these pitches if no gypsy or traveller wishes to utilise them; and the management of these pitches.”* In the absence of such clarity Gallagher objects to Policy H5 as drafted.

Policy H9: Older Persons Specialist Housing

- 4.15 In respect of Policy H9 we maintain that strategic sites should only be required to *“incorporate the appropriate provision of accommodation types for older persons within their site masterplanning”* only if the need for older persons accommodation and the site suitability and location are appropriate. H9 should be amended to incorporate flexibility.

Policy H10: Affordable Housing

- 4.15 Gallagher generally supports the provision of affordable housing and maintains that urban extensions provide the opportunity to help meet affordable housing requirements across the city. We reserve our position on this aspect of the plan subject to more detail of how the draft NPPF amendments to the definition of affordable housing provision as set out in the current consultation on the draft NPPF will be incorporated as the plan proceeds.

5.0 THE CASE FOR THE ALLOCATION OF LAND AT NORTH FIELD, YORK

5.1 These representations are pursuant to the previous representations for Gallagher and seek to establish that the site is suitable for allocation and represents the most appropriate option for allocation when considered against reasonable alternatives. The representations in particular make cross-reference to the October 2017 Vision Framework by Turley, which was attached to their October 2017 representations. This framework provides details of the sites' deliverability, suitability for development and achievability in terms of its ability to be brought forward to meet the city's housing requirement and is summarised and quoted at paragraphs 5.3 – 5.7 below.

5.2 In all planning respects the proposal is sustainable and addresses all planning policy, environmental and technical considerations.

The Proposal - Summary

5.3 The site is approximately 84 hectares in size and could readily accommodate up to 1,000 dwellings (at a net density of 25-35dph) and a new primary school. There is sufficient land to enable the delivery of a high quality and sustainable development, relating well to the surrounding context. The proposals also include local highway network improvements to the benefit of all users and in particular helping to underpin and deliver the council's own planned widening Ring Road.

5.4 As confirmed within the Vision Document:

A thorough assessment of the site's context has been undertaken and it has been demonstrated that the site is both suitable and appropriate for the proposed development. It also represents a deliverable and viable opportunity to provide sustainable housing growth on the north-western edge of York and contribute towards meeting the housing targets within the local area.

5.5 The Vision Document justifies this by undertaking an in-depth assessment of relevant planning policy and site context, detailed site analysis covering all material considerations before developing a concept framework. In conclusion the Vision Document demonstrates the following:

- *Policy Context – The development proposes a sustainable form of development which will help make a significant contribution towards the Council's housing supply position and help deliver wider economic growth and social benefits;*

- *Townscape and Context – The site relates well to Acomb and forms a logical and well-contained extension to the suburban area of York. The A1237 will create a defensible boundary to the west of the site and the proposed retention of the agricultural land to the*

south will ensure that a sensitive buffer is retained between the development and Knapton village and ensure that the development will result in only minimal harm to the Green Belt;

- *Access – The site is in a sustainable location, close to local facilities and community services. It relates well to the surrounding area and is fully accessible by car, walking, cycling and public transport modes; and*
- *Benefits – The future development of the site can be delivered whilst retaining and enhancing its specific landscape and ecological attributes. The masterplan also demonstrates that additional areas of public open space and community facilities can be delivered through the release of the land for development.*

5.6 Section 6 of the October 2017 representations for Gallagher by Turley provides a detailed rebuttal of the 2017 SHLAA explanation for not allocating the site covering the following:

- landscape and historic setting
- heritage assessment
- Green Belt policy
- sustainability considerations

5.7 In the interests of completeness and for ease of reference their conclusions at paragraphs 6.37 and 6.38 remain of full relevance when responding to the Publication Draft Plan consultation and we repeat them in full below:

6.37 *It is Gallagher Estates view that the characterisation of the site as forming part of the historic character and setting to the City is flawed given the relationship which this land has with the historic core of York. Land can only perform this function where the historic core of York is visible from views across this land and where the historic core provides a backdrop to this land, as confirmed by the Council’s own definition provided in the 2003 Green Belt Assessment. Clearly that does not apply in the case of North Field. The evidential basis on which the site has been discounted without proper consideration as a viable and sustainable development opportunity is deficient. The Local Plan is not justified and is unsound as a result.*

6.38 *More generally, and as outlined in section 5, the Council’s approach to appraising sites which are deemed to have a specific Green Belt function in respect of NPPF Purpose 4 is at odds with paragraph 84 of NPPF. As a procedural point, there is no justified reason for discounting such sites on the basis of one aspect of their Green Belt contribution (as only one provision of national planning policy) without properly considering their sustainability credentials in a broader sense. This puts the Local Plan in conflict with the NPPF (paragraph 84) and renders it unsound as a result.*

Deliverability

5.7 Site Ref. 871: Land at North Field, York is fully 'deliverable' in accordance with Paragraph 47 of the NPPF as it is: -

- a) Available now;
- b) A suitable location for development now; and
- c) Is achievable with a realistic prospect that housing will be delivered on the site.

6.0 CONCLUSION

6.1 These representations set out fundamental flaws in the Publication Draft Plan and explain why it is unsound. In particular, the plan fails to meet the NPPF paragraph 157 requirement to

...plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework...

6.2 The most significant concerns are the proposed low annual housing provision, tightly drawn Green Belt boundaries and insufficiency of housing land allocation would combine to hold back growth to unreasonably low levels and exacerbate the existing significant affordability issues further.

6.3 To summarise in more detail:

- The Vision and Outcomes are not justified or effective as they are not backed by positive policies to meet housing need.
- The housing requirement and the predicted housing supply is not justified, effective or consistent with national planning policy or even the council's own evidence base.
- The draft plan will not deliver sufficient new housing or the much needed boost to the level of supply indicated by the available evidence.
- The plan should provide for a minimum of 1,000 new dwellings per annum.
- Even founded on a proposed housing figure of 867dpa the plan proposes insufficient housing land.
- The spatial strategy relies too heavily on a number of large key and/or complex sites and over-optimistic and unsupported assumptions over both timing and number of dwellings to be delivered.
- The draft plan also relies too heavily on over-optimistic assumptions over the predicted level of windfall.
- Indicative densities are too high, giving unrealistic yield per hectare assumptions and potentially resulting in poor quality development and lack of new housing choice.
- The spatial strategy changed when options including urban extensions were replaced by additional land beyond the Ring Road and within freestanding new settlements but, whilst the Sustainability Appraisal considers the proposed strategic sites against each other it fails to reassess them against legitimate alternatives such as the proposed urban extensions delivering 42% of supply.
- The concept of sustainable urban extensions should be re-introduced to make up the projected shortfall in supply and improve future range and choice.
- The draft plan is unsound and in conflict with the NPPF as no safeguarded land is proposed to help meet "longer term needs stretching well beyond the plan period".
- The proposed Green Belt is unsound as it is drawn to unreasonably restrict development opportunities for the necessary growth of York.

- The Sustainability Appraisal fails to provide a comparative assessment of Site 871: Land at North Field, York against the selected sites.
- The A1237 to the west of Acomb would form a logical, permanent and strong Green Belt boundary and a well-defined edge to the built-part of the city at this point.

6.4 Our client's land at North Field, York is fully deliverable and represents one of the most appropriate sites for allocation when considered against reasonable alternatives. In addition, our client and the relevant landowners are willing parties.

6.5 Gallagher respectfully maintains that Land at North Field, York, SHLAA ref. 871 should be released from the Green Belt to be (at very least) designated as safeguarded land. However, in the first instance we consider the land should be allocated for housing within the plan period for the extensive reasons noted within these representations.

**Further Review of the Objectively Assessed
Need for Housing in York
Gallagher Estates**

March 2018

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Client
Gallagher Estates

Our reference
GALY3010

March 2018

1. Introduction

- 1.1 This report has been prepared by Turley on behalf of Gallagher Estates to inform representations to consultation on the Publication Draft of the Local Plan¹ ('the Publication Draft Plan'), which runs until 4 April 2018.
- 1.2 The report specifically challenges the justification and therefore the soundness of the proposed housing requirement within the Publication Draft Plan. It is recognised that the requirement remains unchanged from that included within the Pre-Publication version of the Plan, which was published by the City of York Council ('the Council') in September 2017.
- 1.3 This report draws extensively upon the previous submissions of evidence during consultation on earlier iterations of the Plan. This has included the submission of two technical documents reviewing the Council's published evidence on the objectively assessed need (OAN) for housing in York:
- **Review of the Objectively Assessed Need for Housing in York**, produced in September 2016; and
 - **An Updated Review of the Objectively Assessed Need for Housing in York**, produced in October 2017.
- 1.4 The most recent of these technical reviews is included as **Appendix 1** to this report.
- 1.5 As referenced above, the Publication Draft Plan retains a proposed requirement for 867 dwellings per annum over the plan period (2012 – 2033). This falls below the OAN for 953 dwellings per annum concluded in the addendum update² to the York Strategic Housing Market Assessment ('the SHMA Update'), which was produced in May 2017 and remains the latest evidence of housing needs published by the Council. The Publication Draft Plan confirms that the proposed requirement has been selected following the Council's '*consideration of the outcomes of this work*'³.
- 1.6 This report reiterates Gallagher Estates' **fundamental concerns with the housing requirement proposed by the Council**, which have not been addressed despite being raised by a number of representors during the previous stage of consultation.
- 1.7 The Council is continuing to pursue **an approach which is not justified, effective or consistent with national policy, and has not been positively prepared** to meet the annual need for at least 953 homes established within its own evidence. The approach is therefore **unsound** based on the tests of soundness defined through the National Planning Policy Framework⁴ (NPPF).

¹ City of York Council (February 2018) Local Plan – Publication Draft

² GL Hearn (May 2017) City of York Council Strategic Housing Market Assessment – Addendum Update

³ City of York Council (February 2018) Local Plan – Publication Draft, paragraph 3.3

⁴ DCLG (March 2012) National Planning Policy Framework, paragraph 182

- 1.8 The failure to meet the OAN concluded in the SHMA Update is compounded by the findings of the latest technical review by Turley, which indicated that this at best represented the minimum level of need which should be planned for by the Council. Needs were considered likely to be closer to 1,000 dwellings per annum as a minimum.
- 1.9 Although only four months have elapsed between the end of the pre-publication consultation and the launch of further consultation on the Publication Draft Plan, this report considers the implications of any more up-to-date evidence available and relevant to the application of the methodology for assessing housing needs, established through Planning Practice Guidance (PPG). Importantly, the report also considers the implications of the Government's proposed revisions to the NPPF⁵, which were published on 5 March for consultation until 10 May 2018. As part of this consultation, the Government has also proposed changes to the PPG to implement a new methodology for assessing local housing needs⁶. The implications of such information available at this time are considered within this report.

Report Structure

1.10 This report is structured as follows:

- **Section 2 – Evidenced OAN and Emerging Policy Position** – a summary of the Council's OAN evidence, and its interpretation into a proposed housing requirement in the context of changing national guidance;
- **Section 3 – Critique of the OAN Evidence** – the points of critique previously raised by Gallagher Estates and other representors are summarised and updated where relevant; and
- **Section 4 – Conclusions** – a concise summary of the findings and implications of this technical review.

⁵ MHCLG (2018) National Planning Policy Framework: draft text for consultation

⁶ MHCLG (2018) Draft Planning Practice Guidance

2. Evidenced OAN and Emerging Policy Position

2.1 The technical review of the OAN evidence base submitted on behalf of Gallagher Estates during the October 2017 consultation on the pre-publication draft included reference to the ongoing changes in the national policy context. This section provides an update on how these reforms impact upon the evidencing of housing need to inform the emerging Local Plan. The section then reintroduces the Council's OAN – prepared in May 2017 to conform to existing guidance – and how it has been used in the justification of the housing requirement within the Publication Draft Plan.

National Policy and Guidance

2.2 The Local Plan for York must be positively prepared in compliance with national planning policy and guidance, detailed in the National Planning Policy Framework⁷ (NPPF) and accompanying Planning Practice Guidance (PPG).

2.3 The NPPF requires authorities to fully meet the objectively assessed need for housing in their housing market area⁸. It establishes the role of the Strategic Housing Market Assessment (SHMA), which should be prepared to objectively assess the full need for housing⁹. The PPG strongly recommends the use of a stepped methodology when assessing housing needs, which – though open to interpretation in places – has been broadly followed by Inspectors in establishing reasonable conclusions on the OAN for housing. This involves:

- Using the latest available household projections produced by the Department for Communities and Local Government (DCLG) as the '*starting point*'¹⁰;
- Applying adjustments to the '*starting point*' where necessary to determine the demographic need for housing¹¹;
- Taking employment trends into account¹²;
- Responding to market signals of imbalance between housing supply and demand¹³; and
- Taking affordable housing needs into account¹⁴.

2.4 As noted above, there is substantial room for interpretation within the existing PPG, which has been acknowledged by the Government¹⁵. The introduction of a new

⁷ DCLG (2012) National Planning Policy Framework

⁸ *Ibid*, paragraph 47

⁹ *Ibid*, paragraph 159

¹⁰ PPG Reference ID 2a-005-20140306

¹¹ PPG Reference ID 2a-017-20140306

¹² PPG Reference ID 2a-018-20140306

¹³ PPG Reference ID 2a-019-20140306

¹⁴ PPG Reference ID 2a-029-20140306

¹⁵ DCLG (2017) Planning for the right homes in the right places: consultation proposals, paragraph 11

standard method for calculating housing needs was one of the '*radical reforms*' proposed by Government to respond to the national housing crisis, aimed at minimising delays in plan-making and ensuring that local authorities cannot '*duck potentially difficult decisions*' by advancing an alternative methodology¹⁶.

- 2.5 As referenced in Gallagher Estates' previous consultation response, the Government published its proposed method¹⁷ for consultation in September 2017. The method reduces the number of steps that must be followed to calculate local housing needs. The latest household projections are retained as the '*starting point*'¹⁸. A formulaic adjustment to this figure is subsequently applied to take account of the relationship between median house prices and earnings, with the overall scale of adjustment capped at 40% above recently adopted housing requirements or household projections if higher than older adopted requirements.
- 2.6 The Government released indicative figures to inform this consultation, which confirmed that application of the proposed method for York – taking account of the then-latest data available – would suggest a need for 1,070 dwellings per annum. This incorporates an adjustment of circa 27% from the 2014-based household projections, based on the scale of imbalance between house prices and earnings in York. This precise figure will, however, be subject to change as the datasets which underpin its calculation are updated¹⁹.
- 2.7 At the time of the consultation, the Government envisaged use of the new method where authorities submitted Local Plans after 31 March 2018. However, it was noted that its implementation would be delayed if the revised NPPF had not been finally published by this date.
- 2.8 Such a delay has materialised, given that consultation on proposed revisions to the NPPF runs until 10 May 2018. The documentation published on 5 March 2018 to inform this consultation confirms that '*policies in the previous Framework will apply for the purpose of examining plans where those plans are submitted on or before*' the date which is six months after the date of the revised NPPF's final publication²⁰. The Government's intention to finally publish the revised NPPF '*before the summer*'²¹ suggests that Local Plans submitted before the end of this year are expected to be examined based on existing policy and guidance, including the existing PPG and its stepped approach to calculating housing needs. It is understood that the Council intends to submit the York Local Plan for examination within these timescales.
- 2.9 It is of note that the standard method to be implemented thereafter, on the basis of the current consultation, remains unchanged from that consulted upon last year, with the intention that this will be enacted through updates to the PPG. The Government has published its proposed changes to the PPG to inform the ongoing consultation,

¹⁶ DCLG (2017) Fixing our Broken Housing Market – the housing white paper, paragraph 14

¹⁷ DCLG (2017) Planning for the right homes in the right places: consultation proposals

¹⁸ *Ibid*, paragraph 17

¹⁹ Updated affordability ratios are due to be published in April 2018; 2016-based household projections are currently scheduled for publication in September 2018

²⁰ MHCLG (2018) National Planning Policy Framework: draft text for consultation, Annex 1

²¹ MHCLG (2018) National Planning Policy Framework: consultation proposals, p6

which contain a number of additional clarifications on its application²². This confirms the expectation that the standard method provides a ‘minimum’ need figure for the purposes of plan production, and that:

“...any deviation [from the standard method] which results in a lower housing need figure...will be subject to the tests of soundness and will be tested thoroughly by the Planning Inspectorate at examination”²³

- 2.10 It continues to be noted that some circumstances will justify a higher need figure than suggested by the standard method, which ‘relies on past growth trends and therefore does not include specific uplift to account for factors that could affect those trends in the future’²⁴. The draft guidance does not provide an exhaustive list of the circumstances in which such an uplift is justified, but cites the existence of growth strategies and planned improvements in strategic infrastructure as examples.
- 2.11 As highlighted above, it is recognised that following its current programme for submission the York Local Plan will be required to comply with the current NPPF and its associated guidance, as opposed to the proposed revisions. However, they represent an important direction of travel in viewing the approach taken to justify and meet the full need for housing within the Publication Draft Plan.

The OAN Evidenced for York

- 2.12 As introduced earlier in this report, the SHMA Update²⁵ – produced in May 2017, and published in September 2017 – provides the latest OAN commissioned for York by the Council. The SHMA Update asserts its compliance with the existing PPG and NPPF.
- 2.13 An OAN for 953 dwellings per annum is concluded within the SHMA Update. As referenced in our previous technical review, this falls below the level of housing need currently suggested by the Government’s proposed standard method, but is higher than previously concluded housing need figures set out in earlier iterations of the SHMA.
- 2.14 The components of this calculation are summarised at Table 2.1, following the methodological structure prescribed through the PPG. This shows that the OAN for York is principally derived from the 2014-based household projections with a 10% uplift in response to market signals.

²² MHCLG (2018) Draft Planning Practice Guidance

²³ *Ibid*, p26

²⁴ *Ibid*, p26

²⁵ GL Hearn (May 2017) City of York Council Strategic Housing Market Assessment – Addendum Update

Table 2.1: Components of the OAN for York

	Adjustment required <i> dwellings per annum</i>	Dwellings per annum	% adjustment from 'starting point'
2014-based projections – the 'starting point'	–	867	–
Adjusted demographic projection	0	867	0%
Economic adjustment	0	867	0%
Market signals adjustment (10%)	86*	953	10%

Source: GL Hearn, 2017

* rounded down in SHMA Update

- 2.15 The OAN concluded in the SHMA Update is circa 13% higher than the need for 841 dwellings per annum concluded in the preceding SHMA, which was produced in June 2016 and informed the Council's Preferred Sites consultation in summer 2016. Gallagher Estates' submission to the Pre-Publication consultation in October 2017 explores the reasons for this increase, with reference to the technical critique of the SHMA submitted in September 2016. This is not revisited in this further review, given that the 2016 SHMA has now been superseded in the Council's evidence base and is not referenced within the Publication Draft Plan.

Interpreting the Evidence through Emerging Planning Policy

- 2.16 It remains of relevance to note the Council's enduring failure to prepare a Local Plan which meets York's housing needs. A review of this historic policy context featured within Gallagher Estates' submission to the Preferred Sites consultation, and was subsequently referenced in the Pre-Publication consultation response in October 2017. Although not replicated in full here, it highlights the Council's track record of avoiding planning to fully meet its housing needs, manifest in the fifty year absence of a Local Plan and the more recent suspension of plan preparation in September 2014 to review the overall housing requirement.
- 2.17 The Government's emerging planning reforms are clearly targeted at authorities that are avoiding the 'difficult decisions' necessary to fix the broken housing market and plan for the increased housing provision needed²⁶. It is committed to intervening where necessary to ensure that Local Plans are put in place, and in November 2017 identified fifteen authorities 'showing particular cause for concern' by missing deadlines and demonstrating 'unacceptably slow' progress²⁷. York was one of the fifteen authorities named by Government as 'failing to plan' and thereby failing 'the people they are meant to serve'.

²⁶ DCLG (2017) Fixing our Broken Housing Market – the housing white paper, paragraph 14

²⁷ Sajid Javid's speech on the housing market, 16 November 2017

(<https://www.gov.uk/government/speeches/sajid-javids-speech-on-the-housing-market>)

- 2.18 The Council's response²⁸ to the Government's intervention highlighted the progress made in producing a Local Plan, which it aims to submit for examination before the end of May 2018. Consultation on the Publication Draft Plan evidently represents a key milestone in achieving these timescales, which appear to have accelerated to ensure that the Local Plan is submitted before the Government's new method for calculating housing needs is implemented.
- 2.19 However, the Publication Draft Plan highlights the Council's continued aversion to planning to meet York's housing needs in full. It retains the purported requirement for 867 dwellings per annum and continues to argue that this is representative of '*an objectively assessed housing need*' with reference to the SHMA Update²⁹.
- 2.20 This is misleading and fundamentally conflicts with the clear conclusion of the SHMA Update that there is an OAN for 953 dwellings per annum, as summarised at Table 2.1 earlier in this section.
- 2.21 The lower figure advanced by the Council is presented only as a '*starting point*' in the SHMA Update, which is correctly adjusted to take account of other stages of the PPG methodology. The Publication Draft Plan continues in error to omit any reference to the OAN for 953 dwellings per annum concluded in the SHMA Update.
- 2.22 The Council has therefore again chosen to deviate from the conclusions of its own evidence, as confirmed within its drafted preface to the SHMA Update. This acknowledges that the need for 867 dwellings per annum suggested by the '*starting point*' of the 2014-based household projections '*should be seen as a baseline only*', but proceeds only to "accept" this figure. It then states that:
- "Executive also resolved that the recommendation prepared by GL Hearn in the draft Strategic Housing Market Assessment, to apply a further 10% to the above figure for market signals (to 953 dwellings per annum), is not accepted on the basis that Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations"*³⁰ (emphasis added)
- 2.23 The Council has therefore dismissed the market signals adjustment applied by its consultants, and has consequently selected a figure which is derived from a partial application of the PPG methodology. This approach is not sound, objective or justified.
- 2.24 The Council's criticism of the recommended 10% uplift does not stand up to scrutiny. The SHMA Update in accordance with the PPG uses '*recently published data*' to undertake '*a targeted update to the market signals section*'³¹ which provides an objective analysis of the indicators of supply and demand in York. Importantly, it also

²⁸ City of York Council (30 January 2018) Letter to the Rt Hon Sajid Javid MP on City of York Local Plan

²⁹ City of York Council (February 2018) Local Plan – Publication Draft, paragraph 3.3

³⁰ City of York Council (September 2017) City of York Strategic Housing Market Assessment Update, Introduction and Context to Objective Assessment of Housing Need

³¹ GL Hearn (May 2017) City of York Council Strategic Housing Market Assessment – Addendum Update, paragraph 3.1

continues to reference longer-term trends in affordability ‘over the past 15 years’³² and housing completions relative to requirements since 2004³³. In addition, the update is explicitly not intended to fully supersede the market signals analysis presented in the 2016 SHMA, which included consideration of trends since the late 1990s where permitted by available data³⁴. There is no indication that the authors of the SHMA Update did not draw upon the original and updated analysis and have had regard only to short term trends when recommending a 10% uplift to respond to worsening market signals in York.

- 2.25 Furthermore, any inference that ‘environmental considerations’ should moderate the Council’s OAN evidently conflicts with the PPG’s clear direction that the OAN should be ‘based on facts and unbiased evidence’ and that:

“Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints”³⁵

- 2.26 The PPG makes clear that such considerations should only feature when establishing a housing requirement, and are entirely irrelevant when objectively assessing housing needs. This principle has been clearly confirmed in legal judgments³⁶ and is retained within the Government’s proposed changes to the PPG³⁷.
- 2.27 While the Publication Draft Plan retains the requirement proposed during the previous stage of consultation, it is understood that a change to the housing requirement was considered by the Council in light of the representations received, which are summarised in section 3 of this report.
- 2.28 The Local Plan Working Group (LPWG) met on 23 January 2018 and was advised of the widespread objection to the proposed requirement for 867 dwellings per annum, given its failure to comply with the SHMA Update and its lack of conformity with existing and emerging national policy³⁸. It was stated that:

“Members must be satisfied that they consider the Submission Draft Plan meets the test of “soundness”. This is a statutory duty. Officers’ advice is that the direction of travel in national policy indicates that if the site proposals previously consulted on were increased this would be a more robust position...In Officers’ opinion, an increase in the

³² *Ibid*, paragraph 3.11

³³ *Ibid*, paragraph 3.13

³⁴ GL Hearn (2016) City of York Strategic Housing Market Assessment, Figure 32 and Figure 40

³⁵ PPG Reference ID 2a-004-20140306

³⁶ St Albans City and District Council v (1) Hunston Properties Limited and (2) Secretary of State for Communities and Local Government [2013] EWCA Civ 1610 (CD 5.7); and Hunston Properties v Secretary of State for CLG and St Albans City and District Council (2013). EWHC 2678. (1) Gallagher Homes Limited and (2) Lioncourt Homes Limited v Solihull Metropolitan Borough Council [2014] EWHC 1283

³⁷ MHCLG (2018) Draft Planning Practice Guidance

³⁸ City of York Council (23 January 2018) Local Plan Working Group – Report of the Assistant Director of Planning and Public Protection [Agenda Item 4]

*supply of housing would place the Council in a better position for defending the Plan proposals through the Examination process*³⁹ (emphasis added)

- 2.29 The minutes of this meeting have not been published on the Council’s website at the time of writing. However, the minutes of the subsequent Executive meeting on 25 January 2018 confirm that the recommendations of the LPWG differed from officers’, and as a consequence the Publication Draft Plan retains – against officers’ advice – the requirement for 867 dwellings per annum previously proposed.

Emerging Policy in the Housing Market Area

- 2.30 As noted earlier in this section, the NPPF requires housing needs to be met within housing market areas, which may span numerous local authority areas. While the Government’s proposed changes to the PPG reflect an intention to *‘[shift] the focus away from housing market areas’* for the purposes of assessing housing needs, there remains an acknowledgement that *‘in most instances such areas are the most appropriate geographies over which to produce a statement of common ground’*⁴⁰. Such statements are intended to evidence joint working on cross-boundary matters of strategic importance, such as meeting housing needs.
- 2.31 The Council’s evidence has consistently limited its scope to the administrative area of York, although the 2016 SHMA identified an important relationship with Selby which was considered to share a housing market area with the city⁴¹. However, the SHMA did not consider housing needs within Selby to avoid replicating its own recently commissioned evidence.
- 2.32 Gallagher Estates’ submission to the Preferred Sites consultation in September 2016 considered emerging policy in such areas which shared housing market relationships with York. This confirmed that neighbouring Selby could at best make a marginal contribution towards meeting York’s unmet housing needs, if any at all. Other neighbouring authorities – namely Ryedale and Hambleton, parts of which were found to have shared a strong relationship with York – also demonstrated limited scope to accommodate any unmet needs arising elsewhere, particularly given evidence of high housing needs in these locations.
- 2.33 An updated review of neighbouring authorities’ adopted and emerging policies confirms that this remains the case. In summary:
- **Selby** District Council is currently consulting on its Site Allocations Local Plan⁴², which aims to ensure that sufficient land is available to meet housing and employment needs over the next decade. This remains based on the Core Strategy’s adopted requirement for 450 dwellings per annum, given that a subsequent SHMA completed in 2015 established a need for a comparable level of provision (431dpa). While it is understood that an update to this document is currently being prepared, there continues to be no suggestion in the ongoing

³⁹ *Ibid*, paragraph 26 – 27

⁴⁰ DCLG (2017) Planning for the right homes in the right places: consultation proposals, paragraph 68

⁴¹ GL Hearn (2016) City of York Strategic Housing Market Assessment, paragraph 2.103

⁴² Selby District Council (2018) Plan Selby Site Allocations Local Plan: additional sites consultation

consultation documents that Selby is planning to accommodate any of York's housing needs through the Site Allocations Local Plan;

- **Ryedale** District Council adopted its requirement for 200 dwellings per annum in September 2013, which is to be retained within the emerging Local Plan Sites Document⁴³. The latest SHMA indicates that there is a need for between 195 and 213 homes per annum in the district, with the adopted requirement therefore falling towards the lower end of this range. This continues to suggest limited scope to accommodate unmet needs arising from elsewhere, and indeed suggests that there may be a small unmet need for housing arising from the district itself; and
- **Hambleton** District Council continues to retain the regionally derived housing requirement adopted in 2007, which required 320 dwellings per annum reducing to 260 dwellings per annum. The latest update to the SHMA – published in October 2016 – concludes with an OAN for 319 dwellings per annum in the district, which continues to suggest that the adopted requirement at best meets the housing needs of Hambleton with very limited scope to contribute towards meeting unmet housing needs from elsewhere.

2.34 The above confirms that the Council must seek to meet the housing needs of York in full within its administrative boundary, with no indication that neighbouring authorities are capable of contributing to or willing to assist in meeting the city's unmet housing needs through the development of their own Local Plans.

Summary

- 2.35 The Government has identified through national planning policy the need to ensure that authorities progress sound Local Plans to address their housing needs in full. This is required to significantly boost the supply of housing.
- 2.36 The Government is currently consulting on revisions to the NPPF and PPG. These respond to an acknowledged national failure to provide the homes that are needed and a recognition of the scale of housing which now needs to be delivered, and of ensuring that the right homes are provided in the right places.
- 2.37 The Council has consistently failed to deliver a sound Local Plan. The Publication Draft Plan continues to reflect the Council's refusal to plan for the full housing needs of its communities.
- 2.38 In preparing the Local Plan, the Council has published a SHMA which concludes with an OAN of 953 dwellings per annum. The Publication Draft Plan, however, incorrectly seeks to present a lower OAN of 867 dwellings per annum, which it in turn proposes as its housing requirement.
- 2.39 The purporting of a lower OAN has been further challenged in its justification through the Government's proposed revisions to the NPPF, and its intended introduction of a new method for calculating local housing needs. This calculation explicitly requires an

⁴³ Ryedale District Council (2017) The Ryedale Plan – Local Plan Sites Document, Publication Version

adjustment to be applied to respond to evidence of affordability issues. It is this aspect of the OAN calculation which the Publication Draft Plan seeks to omit.

- 2.40 Notwithstanding the clear direction of national policy, the approach proposed conflicts with the existing NPPF and PPG, and is not sound, objective or justified. It will evidently fall short of meeting the full need for market and affordable housing in York.
- 2.41 In the context of an acknowledged failure to plan for the full need for housing, it is apparent that other neighbouring authorities – with which the city has the strongest housing market relationships – do not have any stated intention to meet the unmet needs of York.
- 2.42 Contrary to national policy, this will leave a significant level of housing needs unmet, detrimentally impacting on households and the ongoing sustainability of the city as well as failing to contribute to addressing an acknowledged national housing crisis.

3. Critique of the OAN Evidence

- 3.1 As previously noted, a number of the technical points of critique originally raised by Gallagher Estates in September 2016 were addressed through the Council's publication of the SHMA Update in May 2017. However, the submitted technical review of the SHMA Update – included as **Appendix 1** – highlighted that the Council's subsequent interpretation of its conclusions meant that there remained technical shortcomings in its approach. The technical shortcomings primarily related to the following three key areas:
- **The selection of a demographic projection which failed to allow for an improvement in younger household formation**, despite the SHMA Update confirming that 873 dwellings per annum would be needed to facilitate such an improvement. This is considered to represent an important demographic adjustment to the '*starting point*' of the 2014-based official projections, which form the basis for the Council's proposed requirement for 867 dwellings per annum;
 - **The omission of any adjustment to respond to the evidenced worsening in market signals and associated affordability issues**. Our previous report viewed the 10% uplift recommended in the SHMA Update – but disregarded by the Council – as the absolute minimum level of adjustment necessary and justified in York; and
 - **The absence of clear justification for the Council's comparatively low employment growth target**, which contrasted with its apparently more ambitious economic strategy. The SHMA Update also failed to provide technical detail or transparency on the modelling assumptions made in testing the alignment between housing need and job growth, which restricted consideration of the extent to which labour availability may constrain the realisation of economic objectives over the plan period.
- 3.2 The Council has not presented an update of its SHMA evidence base, and has evidently not sought to address these points. It has equally not published further evidence which justifies the alternative figure preferred.
- 3.3 In the application of the PPG methodology, the shortcomings listed above remain, and the Council will be examined as to its interpretation and application of the PPG methodology in deriving its Local Plan housing requirement at examination.
- 3.4 Gallagher Estates' submission during the previous stage of consultation presented evidence justifying these points of critique. Much of this evidence remains up-to-date as it reflects the latest information available at the current point in time, with no further population estimates, household projections or affordability ratios published, for example, since it was prepared in October 2017. Gallagher Estates reserves the

right to comment on the implications of these datasets upon their anticipated release later this year⁴⁴.

- 3.5 Whilst the evidence underpinning the points of challenge relating to demographic and economic aspects has not been updated, Land Registry data on the price paid for housing is updated monthly, and therefore new market evidence is now available to show how the average price paid in York during the latest full calendar year (2017) compared to the preceding year (2016). This is one of the market signals listed within the PPG and provides an indication on short-term changes in the cost of purchasing housing in the city, and the extent to which there is any evidence of an improving or indeed worsening position.
- 3.6 Analysis of the latest house price data shows that both median and lower quartile house prices have continued to increase in York. This in turn will have an impact on the updating of affordability ratio data for the city, albeit it is recognised that this will also take into account any change in income levels over the same period of time.

Table 3.1: Change in Median and Lower Quartile Price Paid in York (2016 – 2017)

	2016	2017	Change
Median	£218,000	£225,000	3.2%
Lower quartile	£175,000	£176,100	0.6%

Source: Land Registry, 2018

- 3.7 While the PPG is clear in requiring comparisons to be made with ‘longer term trends’⁴⁵, this short-term trend importantly indicates that there has been no fundamental recent improvement in local market signals since the SHMA Update was produced. The worsening long-term trends identified in Gallagher Estates’ previous submissions – and indeed the Council’s own evidence, in the form of the SHMA Update – therefore must be addressed in accordance with the PPG through an appropriate adjustment.
- 3.8 Failure to do so would serve to exacerbate an evidenced imbalance between housing supply and demand in the city, which has caused unsustainable growth in house prices and worsened the affordability of housing. This issue is particularly acute in York, with the latest published ratio between median house prices and earnings (8.27) ranking as the sixth worst of the 72 authorities in the north of England⁴⁶. Only two northern authorities had a worse ratio between lower quartile house prices and earnings than recorded in York (8.96), indicating that entry-level housing in the city relative to earnings is amongst the least affordable in the north. The Government clearly believes that such circumstances should compel local authorities to plan for more homes⁴⁷.

⁴⁴ This includes the 2016-based sub-national household projections which are scheduled for release by the ONS in September 2018

⁴⁵ PPG Reference ID 2a-020-20140306

⁴⁶ ONS (2017) Ratio of house price to workplace-based earnings, lower quartile and median

⁴⁷ DCLG (2017) Planning for the right homes in the right places: consultation proposals, paragraph 24

- 3.9 Furthermore, there continues to be no justification for the Council’s decision to omit the adjustment recommended in its own evidence. Ahead of the introduction of the formulaic mandatory adjustment which informs the standard method, Inspectors have continued to view such adjustments as necessary in responding to local evidence of worsening market signals when finding a number of Local Plans sound over the past six months⁴⁸. Inspectors have only considered such uplifts unnecessary where the OAN already exceeds the ‘*starting point*’ by some way, following adjustments made to respond to other parts of the PPG methodology including supporting employment growth⁴⁹.
- 3.10 The above serves to reinforce the challenge stressed within our previous technical review as to the Council’s interpretation of its own evidence base, and the omission of any adjustment for market signals or indeed any adjustment from the ‘*starting point*’. This is not compliant with the PPG methodology and the Council’s approach is unjustified.

Review of Representors’ Critique of the OAN Evidence

- 3.11 The technical review of the OAN submitted by Turley during the previous stage of consultation (**Appendix 1**) concluded that the Council should recognise a need for closer to 1,000 dwellings per annum as a minimum. Noting the absence of updates to the majority of datasets used within the technical review, this conclusion remains.
- 3.12 A review of responses received by the Council during the previous stage of consultation confirms that a number of representors expressed very similar concerns around the interpretation of the OAN evidence and indeed its calculation. As set out in section 2 of this report, the Council has chosen to ignore these objections in their entirety in preparing its Publication Draft Plan.
- 3.13 At a fundamental level, the Council’s decision to disregard its own evidence base by seeking to advance a lower OAN was widely criticised during the consultation, as acknowledged by its officers⁵⁰. The Home Builders Federation⁵¹ (HBF) expressed its view that ‘*neither market signals nor affordable housing need have been taken into account...and the Local Plan is therefore not compliant with the NPPF*’. This was clearly found to conflict with ‘*the spirit of positive planning and the NPPF objective to significantly boost the supply of housing*’.
- 3.14 The omission of any adjustment for market signals was also strongly challenged, with a shared view that an uplift of at least 10% is justified in the local circumstances of York.

⁴⁸ Uplift of 25% considered appropriate in Waverley (February 2018); uplift of 10% justified in Stevenage (October 2017); and uplift of 10% appropriate in Adur (September 2017)

⁴⁹ Derbyshire Dales; North East Lincolnshire; North West Leicestershire; and Kingston upon Hull

⁵⁰ City of York Council (23 January 2018) Local Plan Working Group – Report of the Assistant Director of Planning and Public Protection [Agenda Item 4] Annex A, p16

⁵¹ ID 00145

The Council's summary of objections highlights that *'all concur that this should be included'*⁵².

3.15 For example, Regeneris' technical review of the OAN on behalf of Barwood⁵³ described the Council's stance as *'deeply flawed'* and at odds with evidence of *'strong and entrenched market signals issues across York'*. Numerous Local Plan Inspectors' acceptance of *'the approach of applying a flat percentage uplift of the order of 10% to 20%'* was noted by Regeneris, with an uplift of at least 10% therefore seen to be justified in York.

3.16 Gladman⁵⁴ similarly supported the 10% adjustment applied by the SHMA Update in arriving at its OAN for 953 dwellings per annum as a minimum, and expressed its concern that:

"...in an area such as York where housing affordability is a priority issue, the lower quartile ratio of house price to earnings is increasing...and there is a key Government agenda attached to addressing the affordability of housing, the Council has chosen not to address clear worsening Market Signals evidence in setting their housing requirement in the Local Plan"

3.17 On behalf of a consortium of housebuilders, Lichfields⁵⁵ also noted York's status as one of the least affordable authorities in northern England. This was seen to justify a 10% uplift at the very least, with a 20% uplift more likely to be appropriate given evidence that *'market stress [is]...more severe than the 'modest' uplift the SHMA suggests'*. In this regard, reference was made to the conclusions of the Inspector examining the Eastleigh Local Plan, where a 10% uplift was found to be *'compatible with the "modest" pressure of market signals recognised in the SHMA'*⁵⁶.

3.18 Furthermore, Lichfields' assessment argued that the scale of affordable housing needs in York justified a further 10% adjustment to the OAN, with reference to the approach recommended by the Local Plans Expert Group (LPEG). Such an adjustment was applied within its alternative OAN submitted during the consultation. In combination with the 20% market signals uplift applied to the adjusted demographic projection – which incorporated the 2015 mid-year population estimates and adjusted younger household formation rates (871dpa; Table 3 of the SHMA Update) – this suggested an OAN for **1,150 dwellings per annum** in York.

3.19 The above figure was also framed in the context of the indicative outcome of the standard method, which identifies a need for **1,070 dwellings per annum**. A number of

⁵² City of York Council (23 January 2018) Local Plan Working Group – Report of the Assistant Director of Planning and Public Protection [Agenda Item 4] Annex A, p16

⁵³ Appended to ID 09254

⁵⁴ ID 01705

⁵⁵ Appended to ID 00554

⁵⁶ Planning Inspectorate (February 2015) Report on the Examination into Eastleigh Borough Council's Eastleigh Borough Local Plan, paragraph 41

representors⁵⁷ viewed this indicative figure as the appropriate minimum basis for the emerging housing requirement in York.

- 3.20 Several representors also commented on the extent to which the relationship between housing need and economic growth had been sufficiently taken into account. The HBF noted that the Council's evidence base had successively failed to take the economic ambitions of the Local Enterprise Partnership (LEP) into consideration, and as a consequence had not sought to appropriately balance future employment growth with housing provision. Spawforths expressed similar concerns on behalf of a private landowner⁵⁸. Lichfields restated earlier concerns that outdated economic forecasts had been relied upon within the Council's evidence base, and continued to challenge the lack of transparency on the assumptions made in aligning future job growth with the assessment of housing needs.
- 3.21 The '*unusual*' and '*surprising omission*' of a proper assessment of the need for an economic adjustment to the OAN was particularly noted by Regeneris, highlighting that:
- "The typical approach is to model the population consequences of the employment growth scenarios, using linking assumptions on economic activity rates, double jobbing and commuting. The modelled population is then typically translated into housing need so that housing targets are aligned with the most likely economic scenarios"*
- 3.22 Regeneris noted the SHMA Update's continued reference to employment forecasts previously presented in the Council's evidence base, which suggest that between 609 and 868 jobs will be created annually in York. Notwithstanding the comparatively dated nature of these forecasts, Regeneris presented modelling to suggest that the lower of these forecasts could be supported by the demographic projection, with no economic adjustment required. However, the higher of these forecasts would require provision of circa 1,050 dwellings per annum to accommodate the requisite labour force, when applying reasonable assumptions on labour force behaviour.
- 3.23 When the 10% market signals adjustment found to be the minimum justifiable uplift is applied to this figure, Regeneris concluded that there is an OAN for **circa 1,150 dwellings per annum** in York. Again, the relatively close alignment with the outcome of the proposed standard method was noted, leading Regeneris to conclude that '*all available approaches to housing need, both current and emerging, point to an OAN of at least 1,070 dpa for York*'.
- 3.24 An alternative OAN for York was also established in June 2016 by Barton Willmore on behalf of Barratt and David Wilson Homes, which continues to be referenced within its submission to the latest stage of consultation⁵⁹. In contrast with the Council's evidence at the time – though since addressed through the SHMA Update – this alternative assessment took full account of the 2014-based SNPP, which suggested a need for **920 dwellings per annum** when applying adjustments to recover younger household

⁵⁷ Including but not limited to Lichfields (ID 00554); Savills (ID 00224); Carter Jonas (ID 01741); and Regeneris (ID 09254)

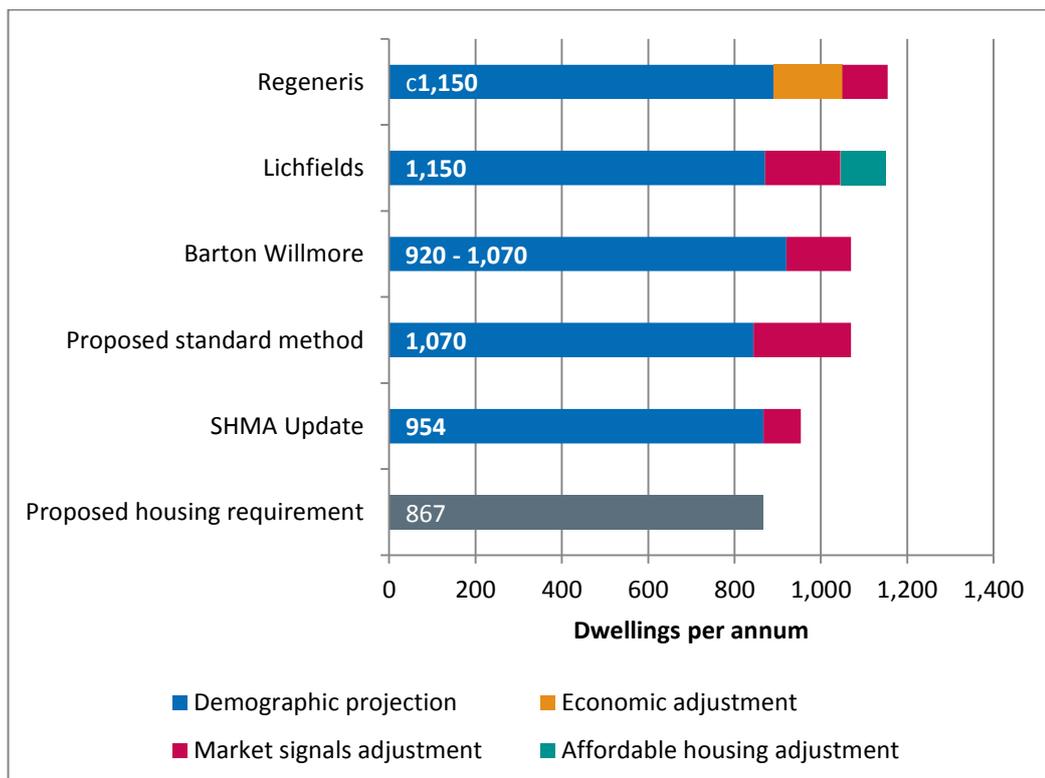
⁵⁸ ID 01299

⁵⁹ Referenced in and appended to ID 13182

formation rates⁶⁰. A further adjustment in response to market signals was also found to be required, with Barton Willmore noting that **1,070 dwellings per annum** would be needed to facilitate the proportionate uplift in national housing completions cited as necessary in the Barker Review to materially improve affordability. The precise alignment between the upper end of this OAN range and the outcome of the Government’s proposed standard method has since been acknowledged by Barton Willmore.

- 3.25 In summary, therefore, the proposed standard method and three alternative assessments submitted by representors each independently conclude that at least 1,070 dwellings per annum are needed in York, as illustrated in the chart below. This indicates that there is a need for around a quarter (23%) more homes than the Council intends to provide through the Publication Draft Plan, at least. In applying the PPG methodology, all of the alternative assessments – including the Council’s SHMA Update – conclude that there is a need to apply some form of upward adjustment to the household projections in arriving at an OAN for York.
- 3.26 This serves to reinforce that the proposed housing requirement in the Publication Draft Plan will demonstrably fail to provide the level of housing growth needed in York, and is not justified or representative of an OAN as the Council has sought to argue.

Figure 3.1: Alternative Assessments of Housing Need in York



Source: Turley analysis of Council evidence and Local Plan representations

⁶⁰ The method through which younger household formation rates are returned differs from that applied in the Council’s SHMA Update, which causes variance from its figure of 873 dwellings per annum

Summary

- 3.27 During the previous stage of consultation, Turley – and indeed a number of other representors – submitted a technical review of the OAN evidence and its interpretation by the Council in the setting of its proposed housing requirement. The absence of any update to the OAN evidence means that the points of technical challenge have not been addressed, despite having been acknowledged by officers.
- 3.28 Since our technical review was produced in October 2017, only a limited amount of new data has been released. The points of challenge on the robustness of both the SHMA Update’s conclusions and the proposed housing requirement therefore remain applicable and based on the latest available information.
- 3.29 Prior to Examination, it is recognised that a number of datasets are due to be updated, and Gallagher Estates reserves the right to comment on their implications at an appropriate time.
- 3.30 Where new evidence has been published – primarily relating to market signals – it is clear that there is continued evidence of a worsening trend in York. With Inspectors continuing to view adjustments as necessary in responding to such evidence of imbalance between housing demand and supply, this reinforces the need to positively respond to worsening market signals through an appropriate uplift. The Council’s omission of any such adjustment remains unjustified, and contrary to the conclusions of its own evidence. It is noted that the Council has not published any further evidence to justify the lower figure preferred.
- 3.31 This section has included a short review of the OAN evidence submitted by other representors during consultation on the Pre-Publication draft of the Local Plan. This highlights a strong degree of commonality in the points of challenge raised and the overall scale of the OAN. All of these variant assessments, including the Council’s own SHMA Update, independently conclude that the full need for housing is higher than that to be provided for within the Publication Draft Plan.

4. Conclusions

- 4.1 This report has been prepared by Turley on behalf of Gallagher Estates to further review published evidence on the OAN for housing in York. The report references technical documents previously prepared by Turley to inform earlier stages of consultation on the emerging York Local Plan⁶¹, with this report prepared to inform Gallagher Estates' representations to consultation on the Publication Draft of the Local Plan which runs until 4 April 2018.
- 4.2 As in the previous stage of consultation – which ran until October 2017 – the Publication Draft Plan includes a proposed requirement for 867 dwellings per annum over the plan period (2012 – 2033). This falls below the OAN for 953 dwellings per annum concluded in the SHMA Update, which was produced in May 2017 and remains the latest evidence of housing needs published by the Council.
- 4.3 At a fundamental level, Gallagher Estates continues to be concerned with the Council's **disregarding of the evidence set out in the SHMA Update**, and its decision to “agree” only with the scale of housing need suggested by the 2014-based household projections. The unjustified dismissal of the market signals adjustment subsequently applied by its consultants results in a figure derived only from a partial application of the PPG methodology, with this approach not objective or sound. The continued omission of any reference to the concluded OAN for 953 dwellings per annum is strongly challenged by Gallagher Estates.
- 4.4 A review of submissions to the previous stage of consultation confirms that similar concerns around the interpretation of the OAN evidence were expressed by a number of representors, with concerns around its calculation also noted. The Publication Draft Plan fails to respond to these concerns.
- 4.5 Our previous technical review identified the following principal points of concern with regards to the Council's OAN evidence and its interpretation into policy:
- **The selection of a demographic projection which failed to allow for an improvement in younger household formation**, despite the SHMA Update confirming that 873 dwellings per annum would be needed to facilitate such an improvement;
 - **The omission of any adjustment to respond to the evidenced worsening in market signals.** The 10% uplift recommended in the SHMA update – but disregarded by the Council – has been commonly viewed as the absolute minimum level of adjustment necessary and justified in York, with at least one representor arguing that a higher uplift of 20% is required; and
 - **The absence of clear justification for the Council's comparatively low employment growth target**, which contrasts with its apparently more ambitious economic strategy. The omission of technical detail and transparency on the

⁶¹ Review of the Objectively Assessed Need for Housing in York, September 2016; An Updated Review of the Objectively Assessed Need for Housing in York, October 2017. This report is included in full as Appendix 1.

modelling assumptions made in testing the alignment between housing need and job growth also restricts proper consideration of the extent to which labour availability may constrain the realisation of economic objectives over the plan period.

- 4.6 The above points of critique led Turley to previously conclude that closer to 1,000 dwellings per annum are likely to be needed in York to meet demographic needs and provide the absolute minimum response of 10% reasonable and necessary to respond to market signals. This conclusion remains valid, and indeed is reinforced by evidence of a continued worsening in market signals which – if not addressed – will result in a further deterioration in the affordability of housing in the city. York already ranks amongst the least affordable authorities in the north, particularly at entry level.
- 4.7 A review of other representations has identified three alternative OAN assessments submitted during the previous stage of consultation which similarly concluded that in excess of 1,000 dwellings per annum are needed in York, broadly aligning with the indicative outcome of the proposed standard method for calculating housing needs (1,070dpa). This suggests an annual need for around a quarter (23%) more homes than the Council intends to provide through the Local Plan, as a minimum.
- 4.8 The proposed housing requirement is therefore derived from evidence which fails to comply with the PPG, against which its soundness will be tested before the introduction of the new standard method. This failure to ensure consistency with national policy – coupled with the lack of justification for an approach which will not be effective in meeting York’s housing needs through a positively prepared Local Plan – means that the Publication Draft Plan **fails the tests of soundness** defined through the NPPF.
- 4.9 In the context of an acknowledged failure to plan for the full need for housing, it is apparent that other neighbouring authorities – with which the city has the strongest housing market relationships – do not have any stated intention to meet the unmet needs of York. Contrary to national policy, this will leave a significant level of housing needs unmet, detrimentally impacting upon households and the ongoing sustainability of the city as well as failing to contribute to addressing an acknowledged national housing crisis.

**Appendix 1: Technical Review of the OAN
submitted during the Pre-
Publication Draft Plan Consultation
(October 2017)**

**An Updated Review of the
Objectively Assessed Need for
Housing in York**
Gallagher Estates

October 2017

Turley

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Client
Gallagher Estates
Our reference
GALY3010

16 Oct 2017

1. Introduction

- 1.1 This report has been prepared by Turley Economics on behalf of Gallagher Estates to provide an evidence-based review and critique of the proposed scale of housing provided for within the composite draft Pre-Publication Local Plan (Regulation 18) (hereafter 'the Draft Plan') which was published by City of York Council ('the Council'). This document has been published for consultation to 30 October 2017.
- 1.2 In response to the Council's previous consultation on the Local Plan Preferred Sites Consultation report in September 2016, Turley submitted representations on the evidenced objective assessment of housing need (OAN) on behalf of Gallagher Estates.
- 1.3 It is acknowledged that in publishing the Draft Plan for consultation, the Council has updated its evidence base to take account of the latest available data and representations, including those submitted by Gallagher Estates. The Council's latest published evidence is set out within the '*Strategic Housing Market Assessment – Addendum Update*' ('the SHMA Update') which was published in May 2017.
- 1.4 Gallagher Estates welcome the Council's updating of its evidence base. It is recognised that a higher OAN for 953 dwellings per annum (dpa) has been evidenced within this update, relative to that concluded in the 2016 SHMA (841dpa) and its subsequent addendum (706 – 898dpa).
- 1.5 The identified higher level of need is considered to respond positively to the representations made by Gallagher Estates, and others, on the previous evidence base reports. It is also considered to broadly follow the methodological steps outlined in Planning Practice Guidance (PPG), which continues to represent the most up-to-date guidance for calculating housing need.
- 1.6 However, this report continues to highlight a number of concerns with the evidence base and the scale of housing need identified. These are focused on a number of specific elements of the methodology as applied.
- 1.7 More fundamentally, Gallagher Estates is significantly concerned with the Draft Plan's disregarding of the evidence set out in the SHMA Update. In publishing the Draft Plan, the Council has taken the decision to disagree with its own evidence base document, preferring to revert to a position which only recognises the scale of housing growth represented by the '*starting point*' of the 2014-based sub-national household projections (SNHP). The Draft Plan therefore expressly advances a variant OAN of only 867 dwellings per annum.
- 1.8 This seeks to retain close alignment with the level of need identified and planned for in the previous evidence base documents. As identified within this report, this earlier evidence attracted significant criticism.
- 1.9 This position cannot be viewed as sound. The Council has presented no evidence to justify deviation from the OAN most recently identified in its own evidence base, nor the reasons for preferring its alternative figure.

- 1.10 Furthermore, the timing of this consultation on the Draft Plan in no small part responds to wider events.
- 1.11 In February 2017, the Government published its Housing White Paper (HWP). Through the HWP, the Government reaffirmed its appreciation of the scale of the acknowledged national housing crisis and the need for *'radical, lasting reform that will get more homes built right now and for many years to come'*¹.
- 1.12 On 14 September, the Government published its consultation proposals *'Planning for the right homes in the right places'*. This incorporates a new methodological approach for calculating housing needs, with the Government publishing an indicative OAN for each authority in England. The consultation period runs until 9 November 2017 with the Government setting itself the ambition of incorporating updates to current guidance alongside a revised National Planning Policy Framework (NPPF) in Spring 2018.
- 1.13 Under the standardised method proposed, the indicative figures published by DCLG indicate that York should as a minimum plan to meet a need for 1,070 dwellings per annum over the next decade (2016 – 2026).
- 1.14 It is recognised that the methodology is only published for consultation, and there is no certainty that it will continue to be advanced in its current form or in an adapted form. However, it is apparent that the DCLG's indicative OAN exceeds that concluded in the Council's evidence base to a relatively modest degree and the alternative figure selected by the Council to a much greater extent. Even recognising the limited weight which can be placed on the outcomes of the proposed standardised methodology, this places the Council's purported reduction in its OAN under even starker scrutiny.
- 1.15 Under the DCLG's proposals, the Council would be required – in the absence of an up-to-date Local Plan – to plan on the basis of the standardised methodology from 1 April 2018. The Council's decision to accelerate its plan-making process represents a clear response to this timetable, with the plan to seek to ensure that the submitted Plan is tested against the current guidance.
- 1.16 In this context, this report continues to critique the Council's evidence on the basis of its application of the current PPG methodology. Consideration is, however, given to the implications of the methodology currently being consulted upon by DCLG as considered appropriate.
- 1.17 This report is structured as follows:
- Section 2: The Updated OAN Evidence Base and the Draft Housing Requirement
 - Section 3: Critique of the OAN Evidence and the Implications of the Changing National Policy Context
 - Section 4: Conclusions

¹ DCLG (February 2017), 'Housing White Paper: Fixing our broken housing market' , pg 7

2. The Updated OAN Evidence Base and the Draft Housing Requirement

- 2.1 This section summarises the Council’s latest evidenced OAN for housing and compares it with the evidence previously reviewed in the critique report submitted during the last round of Local Plan consultation.
- 2.2 A summary is also provided as to the Council’s decision to disregard the conclusion of its own evidence base in preference of an alternative figure.

The 2017 SHMA OAN

- 2.3 The SHMA Update asserts that its objective assessment of housing need complies with the NPPF and PPG. It concludes with an OAN of 953 dwellings per annum over the plan period (2012 – 2032).
- 2.4 Table 2.1 compares the latest OAN with that presented within the 2016 SHMA, providing a comparison of the input assumptions and adjustments applied following the PPG methodology.

PPG Methodological Step	2016 SHMA (dpa)	2017 SHMA Update (dpa)
‘Starting Point’	783 (2012-based SNHP)	867 (2014-based SNHP)
Demographic Adjustment	+ 50	+0
Economic Alignment	+0	+0
Market Signals	+ 8	+87
Concluded OAN	841dpa	953dpa

Source: GL Hearn, 2016 & 2017

- 2.5 The increase in the OAN in the latest SHMA Update by some 112 dwellings a year is a result of:
- **An increase in the demographic starting point.** Even with the demographic adjustment in the 2016 SHMA, the underlying level of need associated with projected household growth alone is some 34 dwellings a year higher as a result of the 2014-based SNHP;
 - **A more pronounced adjustment to respond to evidence of worsening market signals.** The scale of adjustment relating to this element is some ten times greater, representing an additional 79 dwellings a year higher.

A Reminder of the Historical Context of the OAN in York

- 2.6 Our previous critique report included a review of the historical position as to the evolution of the calculation of housing need in York and its translation into policy. Whilst this is not replicated here, it is considered important to reflect on:

- The latest adopted housing requirement in York remains based on the Yorkshire and Humber Regional Spatial Strategy (RSS), requiring the provision of 850 net additional dwellings per annum between 2008 and 2026. The evidence prepared to inform this requirement indicates that this represented a target based on constraints, which evidently differs from an objective assessment of need as required through the NPPF where constraints should not be taken into account; and
- The development of the York Local Plan has spanned a number of years, and the Council has produced a significant body of evidence which considers the need for housing in the city. The scale of housing provision has evidently been a critical issue for the development of planning strategy over this time, with progress on an earlier draft – providing an average of 996 dwellings per annum – halted in September 2014 to review the overall housing requirement.

2.7 This provides a clear indication that the scale of need as established through the latest SHMA is not disproportionate to the evidence which has been historically assembled.

2.8 The Council has, however, a continued and clear track record of seeking to avoid planning to fully meet its needs. This reflects the historical context of the RSS which established a requirement which itself did not seek to accommodate full need, albeit within a wider regional framework which ensured that needs were re-distributed and therefore met in full.

The Council's Draft Local Plan 'OAN'

2.9 The Council's Draft Plan references '*technical work*' recently commissioned, implying that '*this work has updated the demographic baseline for York based on the July 2016 household projections*'². The updated demographic baseline of 867 dwellings per annum is referenced. The Draft Plan states that the Council has considered the '*outcomes of this work*' and '*aims to meet an objectively assessed housing need of 867 new dwellings per annum*'.

2.10 As noted earlier in this section, the SHMA Update expressly concludes that an uplift from this baseline to 953 dwellings per annum is needed to respond to '*both market signals and affordable housing need*'. The 867dpa figure referenced in the Draft Plan is only described within the SHMA Update as the '*starting point*' for the assessment and is not representative of – or indeed described as – the OAN for housing in York.

2.11 The Draft Plan entirely omits reference to the OAN for 953 dwellings per annum concluded in the SHMA Update.

2.12 The SHMA Update as published is prefaced by a note drafted by the Council to provide an '*introduction and context to [the] objective assessment of need*'. This acknowledges that the PPG describes '*official projections...as a baseline only*', but proceeds to "accept" only this figure. It is stated that:

² City of York Local Plan – Pre-Publication Draft (Regulation 18 Consultation September 2017), City of York, Paragraph 3.3

“Executive also resolved that the recommendation prepared by GL Hearn in the draft Strategic Housing Market Assessment, to apply a further 10% to the above figure [867] for market signals (to 953 dwellings), is not accepted on the basis that Hearn’s conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations”³

- 2.13 This demonstrates that the Council has dismissed the adjustment applied by its consultants and selected a figure derived from a partial application of the PPG methodology.
- 2.14 The reasonableness of the recommended market signals adjustment is considered further in the next section. Outside of this, however, it is also clear that the Council has directly sought to take account of factors which explicitly fall outside of the OAN process, as specified within the PPG:

“The assessment of development needs is an objective assessment of need based on facts and unbiased evidence. Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints. However, these considerations will need to be addressed when bringing evidence bases together to identify specific policies within development plans”⁴

- 2.15 The inference that ‘*environmental considerations*’ should moderate the Council’s OAN evidently strays into the process of establishing a housing requirement, and is wholly irrelevant in objectively assessing needs.
- 2.16 This is clearly confirmed in legal judgments, which have highlighted that the NPPF requires a two stage process whereby the OAN is first identified before justification is provided as to whether or not this can be accommodated in the establishment of the housing requirement⁵.
- 2.17 The approach taken by the Council is therefore unsound even outside of any consideration as to the technical components of the OAN calculation.

³ City of York Strategic Housing Market Assessment Update, September 2017 (Introduction and Context to Objective Assessment of Housing Need)

⁴ PPG Paragraph Reference ID: 2a-004-20140306

⁵ St Albans City and District Council v (1) Hunston Properties Limited and (2) Secretary of State for Communities and Local Government [2013] EWCA Civ 1610 (CD 5.7); and Hunston Properties v Secretary of State for CLG and St Albans City and District Council (2013). EWHC 2678. (1) Gallagher Homes Limited and (2) Lioncourt Homes Limited v Solihull Metropolitan Borough Council [2014] EWHC 1283.

3. Critique of the OAN Evidence and the Implications of the Changing National Policy Context

- 3.1 As set out in section 1, Turley submitted a technical review of the previous OAN evidence base as part of the last Local Plan consultation.
- 3.2 It is acknowledged that the most recently published SHMA Update has taken into consideration a number of the points raised through this review. Indeed, it is considered helpful that Appendix A to the SHMA Update includes a summary of the points raised by Turley and other parties with regards to the OAN and the action taken to respond.
- 3.3 This section initially considers the points raised in our last review and the response provided in the SHMA Update. A number of points of critique are considered to remain and these are presented with supporting evidence. It is recognised that in large part these relate to the Council's interpretation of the evidence as opposed to the evidence itself.
- 3.4 Before presenting the technical points of critique, the section considers the implications of the Government's ongoing consultation proposals '*Planning for the right homes in the right places*'. It is acknowledged that the consultation period extends beyond the York Local Plan consultation period, and that – given its status as a consultation – it should be given only appropriate weight at this stage. However, it is considered to signal the clear direction of travel the Government is seeking to follow in its realisation of the HWP and wider planning reforms. This will form an important context for the Council in its preparation of a submission version of the Local Plan.

Previous Points of Critique

- 3.5 The OAN technical review previously submitted identified the following key areas of critique in the derivation of the previous OAN of 841 dwellings per annum:
- Insufficient consideration was given to the higher level of need implied by the 2014-based sub-national population projections (SNPP), albeit it was recognised that these were released close to the publication date of the SHMA;
 - The absence of a significant adjustment to the demographic-based projections of need fails to take adequate consideration of the factors which have influenced the past historic period upon which trends are based. Not least, this included a recognition that the city has consistently failed to produce an up-to-date Local Plan and corresponding supply of land to address housing needs;
 - Insufficient detail was provided to appraise the robustness of and justification for applying no uplift to support future job growth. The evidence was considered to suggest that there was a significant risk that the concluded OAN will serve to constrain rather than support the city's forecast economic growth; and

- The SHMA's recommended 1% upward adjustment to respond to a clearly evidenced worsening of market signals was not considered to be justified. A more significant adjustment would be justified by the SHMA's own analysis of market signals.

- 3.6 It is apparent from the review of representations received following the last stage of consultation – as set out in Appendix A to the SHMA Update – that these points of concern and critique were shared by others. Indeed, it is considered of note that twelve responses were received and were considered to provide a detailed challenge to the OAN consultation, of which the response submitted by Turley is listed as one⁶.
- 3.7 It is also noted that within these responses a number of alternative OANs were proposed. For example, an alternative OAN was submitted by NLP on behalf of a consortium of housebuilders, concluding that there is a need for at 1,125 dwellings per annum in York and indeed that a higher figure of 1,255 dwellings per annum would be justified to meet affordable housing needs in full.
- 3.8 Subsequent to the consultation in November 2016, a more up-to-date OAN assessment was also submitted by Regeneris as part of evidence to a recent S78 Inquiry⁷. This concluded that an OAN of at least 1,020 dwellings per annum was reasonable.
- 3.9 The justification for the higher range of housing need in both studies was primarily predicated upon the integration of more up-to-date population and household projections with adjustments applied to respond to evidence of historic under-supply and a worsening of affordability and a more pronounced and separate adjustment responding to market signals.

Consultation on a Standardised Methodology

- 3.10 As referenced in section 1 of this report, the Government published its Housing White Paper⁸ in February 2017. This proposed a range of '*radical reforms*' to respond to the acknowledged national housing crisis, including the introduction of a new standardised method for calculating housing needs to minimise delays in plan-making and ensure that local authorities cannot '*duck potentially difficult decisions*'⁹.
- 3.11 On 14 September, the Government published its proposed methodology for consultation¹⁰. An illustrative figure calculated through the proposed method was also published for each authority in England. The consultation period runs until 9 November 2017, with the Government setting itself the ambition of incorporating updates to current guidance alongside a revised NPPF in Spring 2018.
- 3.12 A simplification is sought through a reduced number of methodological steps, when compared with the existing PPG. The 2014-based household projections remain a '*starting point*', with two subsequent stages applying upward adjustments based on market signals and capping the level of any increase.

⁶ City of York SHMA Addendum (May 2017) – Appendix A), Paragraph 5.12

⁷ APP/C2741/W/16/3149489 – Appendix 1 to the Planning PoE of the Appellant

⁸ DCLG (February 2017), 'Housing White Paper: Fixing our broken housing market', pg 7

⁹ Ibid (p14)

¹⁰ DCLG (September 2017) Planning for the right homes in the right places: consultation proposals

- 3.13 The indicative figures produced by DCLG alongside its consultation document highlight the implications for York, suggesting a need for some 1,070 dwellings per annum. This is derived from household projections over a ten year period (2016 – 2026).
- 3.14 The indicative level of need suggested by the DCLG methodology is evidently some 117 dwellings per annum higher than that concluded in the SHMA Update. However, the scale of difference is even more pronounced when compared with the alternative OAN selected by the Council, being some 203 dwellings per annum higher – an increase of almost a quarter (23%).
- 3.15 Taken over a twenty year period, this would suggest an additional need for in excess of 4,000 dwellings within the city.
- 3.16 As set out above, the DCLG proposed methodology represents a considerably simplified approach. The 1,070dpa figure is calculated based upon:
- A projected growth of 844 households per annum under the 2014-based household projections over the 2016 – 2026 period; and
 - An upward adjustment of 26.7% to respond to market signals. This is calculated using the Government’s formula, recognising that York currently has an affordability ratio¹¹ of 8.27.
- 3.17 The consultation documents also include a proposed process for transitioning to the new methodology. The proposition is that where plans have not been submitted for examination on or before the 31 March 2018 – or the date at which the revised NPPF is published, if later – authorities will be expected to plan on the basis of the outcomes of the standardised methodology.
- 3.18 It is understood that the Council intends to accelerate their programme for submission to ensure that the Plan is submitted in advance of this deadline. It is readily apparent – given the significant length of time taken to date to submit the Local Plan – that this is a direct response to this deadline. The Council is therefore seeking to advance the Plan on the basis of its current evidence, rather than respond to the implications of the DCLG consultation proposals as currently drafted.
- 3.19 It is of note that the DCLG proposals are clear to introduce the standardised OAN as a ‘*minimum*’ position of housing need. Indeed, the consultation documents confirm the expectation that authorities will use the standardised method to establish a minimum level of need, although it is proposed that:
- “Plan makers may put forward proposals that lead to a local housing need above that given by our proposed approach. This could be as a result of a strategic infrastructure project, or through increased employment (and hence housing) ambition as a result of a Local Economic Partnership investment strategy, a bespoke housing deal with Government or through delivering the modern Industrial Strategy”¹²*

¹¹ Median workplace-based affordability ratio

¹² DCLG (September 2017) Planning for the right homes in the right places: consultation proposals, Paragraph 46

- 3.20 This forms an important context in considering the scale of the economic ambition of the Council and its partners within the wider economic geography within which York operates. A failure to plan positively for new housing in the context of a realisation of the economic growth objectives of the city will place increasing pressure on the housing market, having implications for the affordability of housing and leading to unsustainable commuting patterns.

Updated Technical Points of Challenge on the OAN

Demographic Projections

- 3.21 The approach taken in the SHMA Addendum to consider more fully the 2014-based SNPP is welcomed and responds to the previously raised concern.
- 3.22 The conclusion that the higher implied population growth within this dataset is reasonable and reflective of more recent demographic pressures is also welcomed.
- 3.23 It is agreed as the SHMA identifies that the latest demographic evidence confirms ‘*very strong trends*’ in population growth which would mean that any suggestion of a lower level of growth which ignores these more recent trends would ‘*not be defensible*’¹³. It is also agreed that suggesting a lower level of demographically driven housing need would ‘*risk under-estimating the true housing need in the City*’¹⁴.
- 3.24 It is also agreed that it is appropriate and necessary to take into account evidence of the historic suppression of younger household formation, with this primarily linked to worsening affordability over recent years.
- 3.25 The 2017 SHMA indicates that an adjustment based on their return to rates seen in 2001 would elevate the demographic projection of need to 873 dwellings per annum using the 2014-based SNHP¹⁵. As a minimum this is considered to represent a baseline demographic level of need.
- 3.26 It is noted that this adjustment in isolation indicates a higher level of need than advanced through the Draft Plan (867dpa). This suggests that the Draft Plan fails to provide even for a basic level of demographic housing need.

Market Signals

- 3.27 The 2017 SHMA, as noted in section 2, proposes a more pronounced adjustment to respond to market signals. A 10% adjustment is deemed as being required and reasonable to account for evidence of worsening market signals. A more pronounced uplift is welcomed and responds positively to the points of critique raised previously.
- 3.28 The importance of this adjustment is directly referenced in the SHMA Update’s conclusion which states that the level of need implied by the ‘*starting point*’ projections whilst meeting demographic (and economic) needs:

“...would not however address the City’s affordability issues”

¹³ City of York SHMA Addendum (May 2017), paragraph 2.12

¹⁴ *Ibid*, paragraph 2.13

¹⁵ *Ibid*, Table 3

3.29 The PPG expressly identifies that:

“The housing need number suggested by household projections (the starting point) should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings.¹⁶”

3.30 It also confirms in making a ‘reasonable’ adjustment that:

“The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (eg the differential between land prices), the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be.¹⁷”

3.31 The Government’s current consultation on a standardised methodology for calculating OAN re-asserts the principle as to a need for adjustment to respond to evidence of affordability issues stating:

“There is a longstanding principle in planning policy that assessing an appropriate level of housing must address the affordability of new homes, which means in practice that projected household growth should be adjusted to take account of market signals¹⁸.”

3.32 A mandatory upward adjustment, responding to this aspect, is proposed through Step 2 of the proposed standardised methodology.

3.33 There is therefore a clear existing imperative for the OAN to take full account of issues relating to affordability. The proposed standardised methodology retains this requirement for an adjustment, placing even greater weight on the importance of this aspect in terms of ensuring that housing is ‘delivered in the places where affordability is worst¹⁹.’

3.34 The Draft Plan and the Council’s evidence base both agree that affordability represents an issue for the City. Indeed the Draft Plan recognises in its review of the evidence base the clear indicators of this affordability issue:

“There is a notable affordable housing need in York...In terms of market signals the City of York Strategic Housing Market Assessment and Addendum (2016) (SHMA) reports that by Q2 2016 median house prices in York had reached £225,000 a notably increase on the Q4 2014 position of £195,000. The SHMA also notes that the median private rental data shows a median rental price of £700 pcm for York which compares to the average in England of £650 per calendar month and in the Yorkshire and Humber region of England of £500 pcm. Looking at the relationship between lower quartile house prices and lower quartile earnings indicates that as of 2015 the lower quartile house prices in York are 8.9 times higher than lower quartile earnings.²⁰”

¹⁶ PPG Reference ID: 2a-019-20140306

¹⁷ PPG Reference ID: 2a-020-20140306

¹⁸ DCLG (September 2017) Planning for the right homes in the right places: consultation proposals, Paragraph 19

¹⁹ *Ibid*, Paragraph 21

²⁰ City of York Local Plan – Pre-Publication Draft (Regulation 18 Consultation September 2017), City of York, Paragraph 1.46

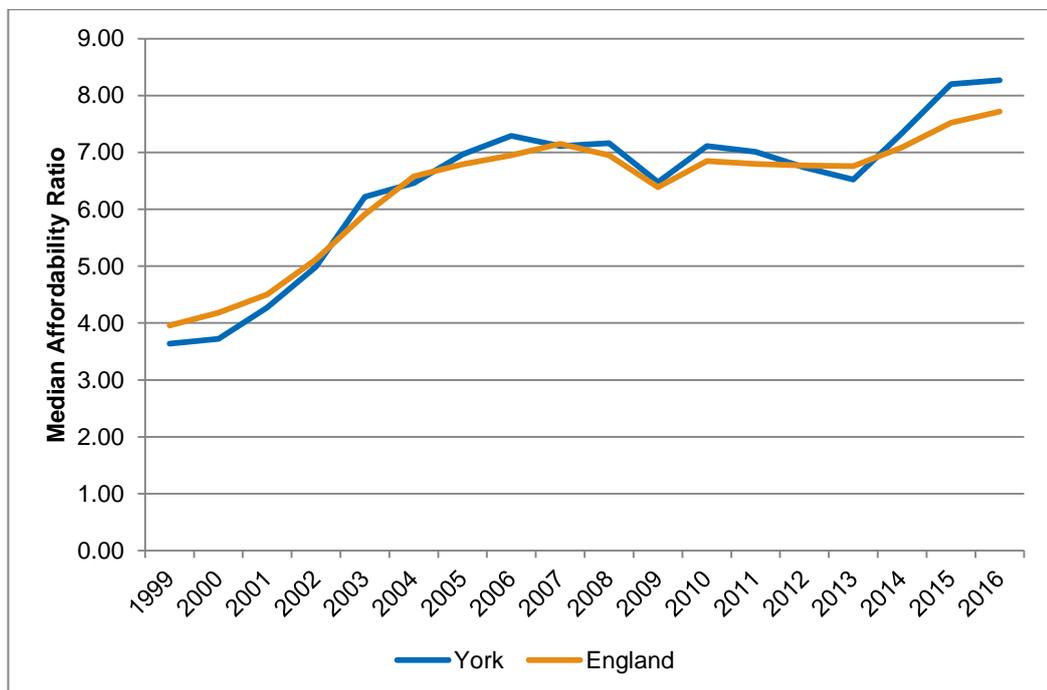
3.35 The ONS published a series of affordability tables covering each authority in England and Wales in March 2017. These include updated analysis for the last year (2016). This highlights that:

- Lower quartile house prices in York were 8.9 times (rounded) residents' lower quartile annual earnings in 2016, increasing from 8.6 in 2015. The median affordability ratio has also risen from 8.2 to 8.3 over the last year; and
- Lower quartile house prices in York were 9.0 times (rounded) workers' lower quartile annual earnings in 2016, increasing from 8.7 in 2015. The median affordability ratio has also risen from 8.2 to 8.3 (rounded) during this period.

3.36 This clearly confirms that affordability issues in York have continued to worsen even over the last year.

3.37 The scale of worsening in affordability is shown when looking at the workplace-based median house price to median earnings ratio back over time as shown in Figure 3.1. This is compared with national figures. This clearly shows a recent rise with the ratio exceeding that seen prior to the recession and confirming the scale of the challenge facing households in the city looking to access the local housing market.

Figure 3.1: Workplace-based Median Affordability Ratio in York and England (1999 – 2016)



Source: ONS, 2017

3.38 Reflecting on the market signals evidence presented in the SHMA Update – as well as the latest datasets – it is considered that a 10% adjustment should be considered as an absolute minimum level of adjustment required. It is considered that there is an

evidenced justification for potentially suggesting a more pronounced adjustment would also be reasonable.

- 3.39 In order to provide a clearer application of the PPG methodology, it is also considered that this adjustment would be beneficially applied separately to the adjusted demographic projection. This would imply a slightly higher level of need for 960 homes each year.
- 3.40 It is noted that this scale of adjustment still falls below that indicated by the draft DCLG standardised methodology, which as noted above is closer to a 27% adjustment. It is considered that this further serves to both highlight the need for such an adjustment and the fact that the SHMA's recommended adjustment falls very much at the lower end of a reasonable response.
- 3.41 It is readily apparent that the Council's decision to simply disregard the justification for any market signals adjustment is clearly at odds with national guidance and its own evidence base and simply ignores the clear evidence of the symptoms of worsening affordability in the latest data. The SHMA Update, as noted above, provides a clear explanation of the justification for an uplift.
- 3.42 It is noted that by implication this adjustment is intended to form part of the response to an identified accumulation of a 'backlog' of some 2,051 units between 2004/05 and 2015/16, which *'is one of the various market signals which indicate a need to increase provision from that determined in a baseline demographic projection'*²¹.
- 3.43 The Council's proposition that no additional need is required to be provided for above the *'starting point'* projection effectively serves to dismiss the implications of this historic failure to provide the homes that were needed. This fails the test of reasonableness and is clearly not justified. The implied reduction in the need must therefore be viewed as unsound.

Employment Growth

- 3.44 It is recognised that the higher implied level of demographic growth represented by the 2014-based SNPP will in turn support a more marked growth in the working-age population²² and therefore the level of labour-force which will likely be available to support employment over the plan period.
- 3.45 The capacity to support employment growth is considered important in accordance with both the PPG and the proposals under the proposed standardised OAN methodology. In the context of York, this is reinforced through the vision outlined in the Draft Plan, which includes a clear economic strand by asserting:

"The Local Plan will enable York to realise its economic growth ambitions as set out within the York Economic Strategy (2016), contributing to a vibrant economy. This will include York fulfilling its role as a key driver in the Leeds City Region, York, North

²¹ City of York SHMA – Addendum (May 2017), Paragraph 3.15

²² The projected growth of the working age population, alongside growth in younger and older households, was illustrated in Figure 4.4 of our previous technical review, with this illustrating the more positive position presented than the previous 2012 SNPP.

*Yorkshire and East Riding Local Enterprise Partnership (LEP) area and the functional York Sub-area. In doing this York will have a key role in leading economic growth and job creation within the local area.*²³

- 3.46 It is, however, noted that the Council continues to take a cautious approach to the scale of job growth which will be achieved over the plan period. The Draft Plan notes:

*“...there are inherent uncertainties in long term economic forecasting and the Plan takes a cautious approach using the baseline forecast to inform the land requirements in the Plan”*²⁴

- 3.47 However, this is immediately followed by a statement of ‘ambition’:

*“However this does not mean that the Council is tempering its economic ambition for the city. It continues to believe that local interventions such as the ‘Growth Deal’ with Government will promote faster growth in key sectors and there is flexibility in the Plan’s allocation of sites to accommodate this”*²⁵

- 3.48 It is considered that whilst the SHMA evidence confirms that the forecast levels of employment growth can be supported by the OAN, the Council should provide a greater level of clarity as to the justification for its selection of a comparatively low employment target against the backdrop of an apparently more ambitious economic strategy.

- 3.49 In our previous technical report, we raised concerns around the lack of transparency in the assumptions applied in assessing the balance between job growth and labour-force growth in the demographic projections. It is disappointing that no further information has been provided in this regard. Whilst – as set out above – it is recognised that the comparatively strong growth in population would reasonably be anticipated to support the ‘baseline’ level of employment growth supported by the Council, the absence of this information presents a challenge in understanding the extent to which it could act as a constraint on more ambitious levels of employment growth in the future.

- 3.50 The response to this issue provided in Appendix A to the SHMA Update is not considered to be sufficient in this regard. Reference is made to the outputs of the modelling being ‘*integrated within the forecasts*’. As we highlighted in our previous technical review, this indicates a level of adjustment which may or may not appear reasonable in the context of the current and anticipated operation of the labour market. A greater level of transparency would have significant benefits in reassuring on this point.

²³ City of York Local Plan – Pre-Publication Draft (Regulation 18 Consultation September 2017), City of York, Paragraph 2.1

²⁴ City of York Local Plan – Pre-Publication Draft (Regulation 18 Consultation September 2017), City of York, Paragraph 1.36

²⁵ *Ibid*

4. Conclusions

- 4.1 This report has been prepared by Turley Economics on behalf of Gallagher Estates to provide an evidence-based review and critique of the proposed scale of housing provided for within the composite draft Pre-Publication Local Plan (Regulation 18) ('the Draft Plan'). This follows representations submitted by Turley in response to the Council's previous consultation in September 2016.
- 4.2 It is acknowledged that the Council has updated its evidence base to support the development of the Draft Plan, taking account of the latest available data and representations including those submitted by Turley on behalf of Gallagher Estates. The Council's latest published evidence is set out within the '*Strategic Housing Market Assessment – Addendum Update*' which was published in May 2017.
- 4.3 Gallagher Estates welcomes the Council's updating of its evidence base. It is recognised that a higher OAN for 953 dwellings per annum (dpa) has been evidenced within this update, relative to that concluded in the 2016 SHMA (841 dpa) and its subsequent addendum (706 – 898 dpa).
- 4.4 The higher level of need identified is considered to respond positively to the representations made by Gallagher Estates, and others, on the previous evidence base reports. It is also considered to broadly follow the methodological steps outlined in Planning Practice Guidance (PPG), which continues to represent the most up-to-date guidance for calculating housing need.
- 4.5 At a fundamental level, Gallagher Estates is significantly concerned with the Draft Plan's **disregarding of the evidence set out in the SHMA Update**. In publishing the Draft Plan, the Council has taken the decision to disagree with its own evidence base document, preferring to revert to a position which only recognises the scale of housing growth represented by the '*starting point*' of the 2014-based sub-national household projections (SNHP). The Draft Plan therefore expressly advances a variant OAN of only 867 dwellings per annum, and entirely omits reference to the OAN for 953 dwellings per annum concluded in the SHMA Update.
- 4.6 This demonstrates that the Council has dismissed the adjustment applied within its evidence and selected a figure derived from a partial application of the PPG methodology. In justifying the advanced OAN the Council has made a clear inference that environmental constraints in particular should moderate the Council's OAN. This evidently strays into the second part of a two stage process in establishing a housing requirement, and is wholly irrelevant in objectively assessing needs as confirmed through legal judgments. **The approach taken by the Council is therefore unsound even outside of any consideration of the technical components of the OAN calculation.**
- 4.7 A technical review of the OAN concluded in the latest SHMA justifies its resultant increase in the OAN for York, indicating that its concluded need for 953 dwellings per annum at best represents the minimum level of need which should be planned for. This is considered on the basis that:

- **The 2014-based sub-national population projections (SNPP) represent an appropriate ‘starting point’ in projecting housing need**, as advocated in our previous representations. However, the SHMA Update continues to indicate that a return to higher levels of younger household formation would elevate the need for housing implied by the 2014-based household projections to 873 dwellings per annum. As a minimum, this is considered to represent a baseline demographic need for housing;
- **A 10% uplift is the absolute minimum level of adjustment required to respond to evidence of worsening market signals.** It is considered that a more pronounced adjustment could be reasonably justified by the evidence. Furthermore, a clearer application of the PPG methodology would apply this uplift to the adjusted demographic projection (873dpa), implying a slightly higher need for 960 dwellings per annum; and
- Although the stronger population growth suggested by the 2014-based projections would be likely to grow the labour force and support job creation in York over the plan period, **greater clarity should be provided on the Council’s justification for selecting a comparatively low employment target** in the context of its apparently more ambitious economic strategy. It is also disappointing that the SHMA Update fails to provide any further technical clarification on the modelling assumptions used to check the alignment between job growth and housing need, and further transparency in this regard would ensure that the vision for economic growth is not constrained by labour availability.

4.8 The above strongly challenges the Council’s assertion that there is no justification for uplifting housing need beyond the demographic ‘starting point’, or indeed that there is justification for deviating from the evidenced conclusions of its SHMA Update. This position effectively serves to dismiss the implications of an historic failure to provide the homes that are needed in York, is clearly not justified and fails the test of reasonableness. The implied reduction in housing need is therefore unsound.

4.9 The OAN referenced in the Draft Plan fails to fully comply with the PPG, which remains the most up-to-date guidance on the approach to be followed in objectively assessing housing needs. It is evident that the Council has sought to accelerate its plan-making process to ensure that its Local Plan is tested against this guidance, in preference to the outcome of the new methodology currently being consulted upon by DCLG. The latter is intended to form the basis for Local Plans submitted from 1 April 2018, or from publication of the new NPPF if later.

4.10 The new methodology proposed by DCLG indicates a higher need for 1,070 dwellings per annum in York. This relatively closely aligns with the evidence presented in this report, which indicates a need for close to 1,000 dwellings per annum in the city. In the context of this proposed change in guidance – and the technical points identified above – it is strongly suggested that the Council should be planning to accommodate closer to 1,000 dwellings per annum. The Council’s attempt to justify an OAN of only 867 dwellings per annum is therefore unjustified, strongly challenged and must be revised prior to submission of the Local Plan in order for the housing figure to be found sound.

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Representations to the City of York Local Plan Pre-publication Draft (Regulation 18 consultation)

Gallagher Estates

October 2017

Turley

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Client

Gallagher Estates

Our reference

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1. Introduction

- 1.1 This Report is prepared by Turley Planning, with inputs from Turley Economics, Turley Sustainability, Turley Heritage and CSA Environmental on behalf of Gallagher Estates. It provides representations to City of York Local Plan Pre-publication Draft (September 2017) (Draft Local Plan).
- 1.2 The report builds on representations made by Gallagher Estates to the Preferred Sites consultation undertaken in 2016. That submission comprised three documents:
- Main representation report (provided at Appendix 1 to this representation report);
 - A review of the objectively assessed need for housing in York.
 - Land at North Field, York: Vision Framework (provided at Appendix 2 to this representation report);
- 1.3 Following a full review of the Preferred Sites consultation document and associated evidence base, Gallagher Estates set out a number of critical concerns with the Local Plan as emerging and the likelihood of it being found to be unsound if progressed as proposed.

Land at North Field

- 1.4 In the context of its comments on the Preferred Sites document, Gallagher Estates put forward a case for the release of land at North Field, York from the Green Belt and its allocation for residential development through the Local Plan.
- 1.5 Land at North Field is located on the western side of the City adjacent to the suburb of Acomb. It is located approximately 4km to the west of York City Centre and 2km to the north west of Acomb District Centre.



Figure 1: Land at North Field, York

- 1.6 The site extends to approximately 48 ha in total and comprises agricultural land. It is well related to the local highway network, well served by public transport (bus park and ride and train services) and is bound by existing residential properties located off Sherwood Grove. The village of Knapton is located to the south west of the site.
- 1.7 The site forms an open area of land situated between the western urban edge of York, the A1237 and the village of Knapton. There are a number of 'urbanising influences' within the wider expanse of open land, including recently constructed roadside service facilities at the junction of the A1237 and A59 to the north of the site and Oakwood Business Park and a caravan storage area on the opposite side of the A1237.
- 1.8 The site provides the opportunity to deliver a high quality, residential development utilising an area of land which is well located with good access to the existing sustainable transport network, free of onsite constraints, which is of limited landscape value and which can be developed without significant harm to the Green Belt around York and its function.
- 1.9 Importantly, and in contrast to much of the open land surrounding York, the site does not perform a critical role in protecting and enhancing the significant historic setting and character of York, as the main purpose of the York Green Belt. This is verified by the absence of views of the York Minster and other historic assets from this side of the City.

1.10 The Vision Framework which accompanied Gallagher Estates' Preferred Sites consultation response, provided at Appendix 2, presents a full development appraisal of the site, including a review of key constraints and opportunities and overarching masterplan. This has been informed by a full consideration of the site's technical constraints, including its Green Belt contribution and function, its landscape sensitivity, its accessibility by sustainable modes of transport and proximity to local services and access and highway constraints. This demonstrates that:

- The site occupies a highly sustainable location within close proximity to the existing facilities and services of Acomb District Centre;
- Is well connected via existing sustainable transport network, including bus stops on Beckfield Lane providing access to the City Centre, a train station at Poppleton and a recently completed park and ride facility on the A59;
- The development of the site as proposed provides opportunities to improve local community facilities, including the provision of new public open space and a primary school and will deliver significant economic, social and environmental benefits;
- The development will deliver new and much needed affordable housing;
- The development can sensitively address the relationship between the urban edge of York and the settlement of Knapton through the inclusion of a green gap between the site and Knapton. The development will not result in significant harm to the Green Belt and its key purposes as a result;
- The development offers the potential to facilitate the delivery of the York Outer Ring Road project through dedicating land along the site's frontage to enabling the dualling of the A1237 to be achieved, thereby avoiding the need for the Council to acquire land and be exposed to the costs, delays and risks associated with this.

Pre-publication Draft Local Plan

1.11 Gallagher Estates has reviewed the Draft Local Plan and associated additional evidence based published alongside this. This includes:

- Strategic Housing Market Assessment Update (2017)
- Sustainability Appraisal (2017)
- Strategic Housing Land Availability Assessment (2017)
- Employment Land Review Update (2017)
- Heritage Impact Assessment (2017)
- Local Plan and Community Infrastructure Levy Viability Assessment (2017)
- Open Space and Green Infrastructure Update (2017)

- 1.12 The Draft Local Plan generally reflects the content of the Preferred Sites consultation, albeit with some changes in respect of allocated sites and a small proposed increase in the housing requirement which the Local Plan will seek to deliver from 841 dwellings per annum to 867 dwellings per annum.
- 1.13 Given Gallagher Estates comments on the Preferred Sites Consultation (provided at Appendix 1), the concerns set out in its previous representations apply equally to the Draft Local Plan in the absence of any significant changes to the plan and its evidence base to correct the points of unsoundness which have been highlighted. It is clear that Gallagher Estates' comments have not been taken into account and no effort has been made to amend the plan or update the evidence base to address these comments and the critical points of soundness raised.
- 1.14 This further representation report therefore complements and should be read alongside Gallagher Estates' representations to the Preferred Sites Consultation. It highlights the following deficiencies in the Draft Local Plan which, individually and collectively, result in the plan being unsound and not legally compliant in its drafted form:
- A failure to undertake a proper analysis of different spatial options for meeting the development needs of York and instead appraising individual sites against narrow, environmentally focused criteria with no consideration as to where development will need to be directed to in order to achieve the optimum social, environmental and economic outcomes;
 - An inconsistency between the spatial distribution of allocated sites as proposed and the selected preferred spatial distribution tested through the 2013 Sustainability Appraisal process and determined to represent the most sustainable approach to growth;
 - The absence of a comprehensive Green Belt review;
 - Procedural deficiencies in the Sustainability Appraisal Process;
 - A need to plan for a higher level of housing development than proposed in order to meet the full objectively assessed need for housing over the plan period;
 - A need to identify significantly more land for release from the Green Belt to meet the need for housing development over the plan period and to ensure the Green Belt can endure beyond this;
 - Deficiencies in the heritage and landscape evidential basis for the selection of sites for allocation in the Local Plan;
 - A failure to have regard to the guidance in paragraphs 84 and 85 of the NPPF in appraising sites for allocation and definition of the Green Belt in York;
- 1.15 The remainder of this report is structured as follows:
- Section 2 provides some general comments on the process of preparing the Local Plan;

- Section 3 provides comments on the proposed housing requirement;
- Section 4 provides comments on the extent of land needed to meet the housing requirement, including the extent of Green Belt release;
- Section 5 provides comments on the spatial strategy and the general process by which sites have been selected for allocation;
- Section 6 provides a response to the Council's assessment and treatment of Gallagher Estates' land interest at North Field through the Local Plan process;
- Section 7 provides specific comments on selected proposed allocations;
- Section 8 provides comments on the Sustainability Appraisal;
- Section 9 outlines how the Local Plan will need to be progressed to address the critical points of unsoundness raised.

2. General comments

- 2.1 Whilst Gallagher Estates welcomes the Council's efforts to progress the York Local Plan, as a general comment it wishes to place on record its dissatisfaction with the manner in which the Local Authority has managed this process. The development of the current Local Plan commenced in 2005, with an initial Preferred Options Local Plan consultation being undertaken in 2013. The Draft Local Plan is the latest output of this lengthy and complicated process. This is clearly contrary to Government's often repeated statement that Local Authorities needs to put Local Plans in place as soon as possible.
- 2.2 During the development of the Local Plan, the Council has published a significant body of evidence. A proper understanding of how the Council has arrived at the current Local Plan can only be gained through a review of dated evidence which continues to be relied upon as the evidential basis for the current iteration of the Local Plan. This extends to several thousand pages of assessment.
- 2.3 The original body of evidence published by the Council has been subject to updates as part of the process but most documents have never been replaced or superseded. For example, it is apparent that the Site Selection Paper (2013) forms the basis of the selection of sites for allocation for residential development in the current Local Plan, with numerous ancillary documents being produced in the subsequent years to update and expand on this (e.g. Site Selection Paper Addendum 2014 and Residential Sites Assessment Proformas (June 2014)) as new technical evidence has become available and assessment criteria amended.
- 2.4 Further, the 2013 Sustainability Appraisal is still being relied upon for the purposes of defining the overarching spatial strategy and the justification that the preferred approach represents the most sustainable when considered against reasonable alternatives.
- 2.5 The Local Plan process should be transparent and accessible to all. Gallagher Estates is experienced in engaging in Local Plan processes and understands the evidence which goes into this. However, it is very difficult to fully understand how York has arrived at its draft Local Plan given the manner in which the evidence base is presented. As a point of principle, it is not acceptable to continue to rely on dated evidence and subject this to partial updates through additional layers of assessment and reappraisal in an effort to ensure this remains fit for purpose. Rather there comes a point in this process where that evidence loses its relevance as circumstances have changed substantially (and due purely to the passage of time) and so must be subject to a fundamental review and representation.
- 2.6 This is a critical point for the soundness and the legal compliance of the Local Plan. As part of the next stage of consultation on the Local Plan, it is important that a single suite of evidential documents is published by the Council which collectively provide the Local Plan's evidence base. Individual topic areas should be capable of being presented in single documents for ease of review and to enable interested parties to properly understand the Local Plan and how it has been developed. A single Sustainability

Appraisal should also be presented as part of this which appraises all policies in the plan and reasonable alternatives to these.

3. The housing requirement

- 3.1 A full critique of objectively assessed need for housing in York is provided at Appendix 3 of this representation and should be read in full.
- 3.2 Representations were made on the objectively assessed need (OAN) for housing evidenced by the Council to inform its previous round of consultation in September 2016. It is acknowledged that the Council has updated its evidence base to take account of the latest available data and representations, through the May 2017 publication of the ‘*Strategic Housing Market Assessment – Addendum Update*’¹. This evidences a higher OAN for York (953 dwellings per annum) relative to that concluded in the 2016 SHMA (841dpa) and its subsequent addendum (706 – 898dpa), and is broadly considered to follow Planning Practice Guidance (PPG) and respond positively to earlier representations made by Gallagher Estates and others.
- 3.3 However, in publishing its draft Local Plan for consultation, the Council has taken the decision to disagree with its own evidence base and prefers to recognise only the housing need suggested by the ‘*starting point*’ of the 2014-based household projections, which suggest a purely trend-based demographic need of 867 dwellings per annum.
- 3.4 Within the draft Local Plan reference is misleadingly made to an ‘*objectively assessed need*’ for 867 dwellings per annum with the draft Local Plan entirely omitting reference to the OAN for 953 dwellings per annum concluded in the SHMA Update (2017).
- 3.5 In presenting its ‘interpretation’ of the OAN within the draft Local Plan the Council has therefore dismissed necessary adjustments applied within its evidence and selected a figure derived from a partial application of the PPG methodology. Furthermore, in justifying the advanced OAN the Council has made a clear inference that environmental constraints in particular should moderate the Council’s OAN. This evidently strays into the second part of a two stage process in establishing a housing requirement, and is wholly irrelevant in objectively assessing needs as confirmed through legal judgments. The approach taken by the Council is therefore fundamentally unsound, even outside of any consideration of the technical components of the OAN calculation.
- 3.6 A technical review of the OAN concluded in the SHMA Update justifies its resultant increase in the OAN for York, indicating that its concluded need for 953 dwellings per annum at best represents the minimum level of need which should be planned for. This reflects:
- The appropriateness of the 2014-based sub-national population projections (SNPP) as a representative demographic ‘*starting point*’, although a return to higher rates of younger household formation as identified within the SHMA Update would elevate this demographic baseline to 873 dwellings per annum;
 - The absolute minimum adjustment of 10% required to respond to evidence of a considerable worsening in market signals, which could indeed suggest a higher level of need (960dpa) when applied to the adjusted demographic baseline; and

¹ GL Hearn (2017) York Strategic Housing Market Assessment – Addendum Update

- The need to support future growth in the York economy, although the Council's selection of a comparatively low employment growth target requires further justification in the context of its apparently more ambitious economic strategy.
- 3.7 The above are expanded upon within the technical critique attached at Appendix 3. Collectively they strongly challenge the Council's assertion that there is no justification for uplifting housing need beyond the demographic '*starting point*' of 867 dwellings per annum. The implied reduction in housing need must therefore be viewed as unsound, and fails to fully comply with the PPG which remains the most up-to-date guidance on the approach to be followed in objectively assessing housing needs.
- 3.8 It is clear that the Council has sought to accelerate its plan-making to ensure that its Local Plan is tested against this guidance, in preference to the outcome of the new methodology currently being consulted upon by DCLG. This indicates a higher need for 1,070 dwellings per annum. In the context of this proposed change in guidance – and the technical points identified above it is strongly suggested that the Council should be planning to accommodate closer to 1,070 dwellings per annum. The Council's attempt to justify an OAN of only 867 dwellings per annum is unjustified, strongly challenged and must be revised prior to submission of the Local Plan in order for the housing figure to be found sound.

4. The amount of land required for housing development

- 4.1 The Draft Local Plan proposes the allocation of land to deliver 13,576 residential units over the plan period plus 1,287 beyond. Including sites with extant planning permission and a windfall allowance, it is assumed that 18,239 dwellings will be delivered over the plan period. This is against a total requirement for 14,775 dwellings based on the proposed annual requirement of 867 dwellings plus an allowance for under provision from 2012. The plan therefore seeks to make provision for sufficient housing for the plan period, plus five years beyond (i.e. to 2038).
- 4.2 Gallagher Estates has set out its concerns regarding the proposed housing requirement in section 3 of this report. This section of the representation provides general comments on how the Council has translated the proposed strategic housing requirement into a land allocation requirement. It identifies how much land will need to be allocated, including to be released from the Green Belt, to meet the need for 867 dwellings per annum (as proposed through the Draft Local Plan) and 1,070 units per annum as reflective of a more realistic housing requirement for York.

Deliverability of supply

Urban land capacity

- 4.3 It is noted that a total of 347 ha of land will be removed from the Green Belt to deliver the housing requirements of the Local Plan and a limited period beyond (5 years). This extent of Green Belt release is proposed to deliver 6,590 units over the plan period with the remainder (11,649 units) proposed to be delivered through the development of land located outside of the Green Belt (i.e. within the defined urban area) at an average of 728 dwellings per annum.
- 4.4 It is noted that York has been relied on its urban land supply to meet its housing requirements for many years insofar as no designated Green Belt land has been permitted to be developed either through its removal from the Green Belt or via speculative planning applications. Over the ten year period to 2016/17, the urban area has delivered a net increase of 5,748 dwellings at an average of 579 dwellings per annum.² Clearly brownfield land is a diminishing source of sites and it is highly questionable whether historic rates of delivery from this source can be sustained going forward.
- 4.5 The longstanding policy context in York has supported the development of land within the urban area for residential purposes. The urban land which the Local Plan will be reliant on to deliver the housing requirement does not require a policy shift to come forward for development, rather in planning policy terms this supply has been free from constraints for many years. This brings into question the likelihood of a 26% increase in annual yield from urban sites over the next 16 years compared with the previous 10 years, as assumed by the Local Plan. Gallagher Estates has significant concerns as to

² City of York Local Plan Strategic Housing Land Availability Assessment September 2017 (Annexes Table 7)

the achievability of this, particularly given the lack of evidence to support to deliverability of large and complex brownfield sites such as York Central over the plan period.

- 4.6 It is acknowledged that the Local Plan is being developed at a time when a number of large urban sites may be becoming available for development. However, such strategic opportunities are not new to York and indeed a number have been delivered over recent years (such as the Terry's Chocolate Factory site) notwithstanding the policy vacuum.
- 4.7 It may be appropriate to assume an increase in yield from the urban area going forward and in the context of a more positive policy context, however Gallagher Estates would question whether a 26% increase is genuinely achievable. A more conservative estimate of say 15% is more realistic and provides a more robust basis on which to plan for meeting the Local Plan's housing needs. Notwithstanding this, the Council has presented no evidence that the assumed urban capacity is deliverable. It exists as a collection of potentially developable brownfield sites, many of which are likely to be affected by significant constraints due to historic uses. This supply must be subject to further deliverability testing. Until this time, this supply cannot be assumed to be deliverable over the plan period. This aspect of the plan is not sufficiently justified and is therefore unsound.

Reliance on large sites

- 4.8 The question of deliverability is a critical one for York, particularly in being reliant on a small number of very large sites to meet its housing requirement. For example, site ST15 is proposed to deliver 2,200 dwellings over the plan period. At this stage, no evidence is presented which outlines when this site might be expected to come forward and how it will deliver an average of 130 residential dwellings per annum over the entire plan period.
- 4.9 Significant upfront infrastructure works would need to be undertaken to unlock this site and it is highly unlikely that any residential units will be delivered until 2022. On this basis, the site will need to deliver nearly 150 units per annum every year until the end of the plan period (i.e. from 2022). Based on average rates of delivery amongst the main national housebuilders, this will require between 3 and 4 house builders to be delivering this site at any one time. There are few, if any, precedents for single sites delivering at this rate in the north of England. Whilst York is a strong market area, reliance on delivery of sites of this type and in the manner proposed presents inherent risks and justifies a more cautious and realistic delivery figure for the duration of the plan period.
- 4.10 At this stage, the Council has presented no evidence that these larger sites are deliverable at the rate suggested. This is a particular issue for very large sites given the extent new infrastructure needed to unlock them. Such sites must be subject to further deliverability testing and until such time, they cannot be relied upon to deliver the Local Plan. The proposed reliance on the larger sites is not sufficiently justified and the Local Plan is therefore unsound.

History of delivery on Ministry of defence sites

- 4.11 It is noted that the Local Plan proposes the allocation of two existing Ministry of Defence sites located at Queen Elizabeth Barracks and Imphal Barracks. Together these sites are proposed to deliver 1,347 residential units. Both of these sites are operational and

are not anticipated to become available for development until 2021 and 2031 respectively.

- 4.12 Until these sites are fully vacated by their existing users, they cannot be considered to be available. There would appear to be a significant prospect of them becoming available, however relying on such sites to deliver the plan's housing requirements presents a significant risk insofar as there is also a prospect of the current operator deciding to retain its ownership and operation of the sites.
- 4.13 This issue arose in respect of joint Cheltenham, Tewkesbury and Gloucester Core Strategy where the plan proposed the allocation of the Ministry of Defence's site at Ashchurch for 2,726 residential dwellings. During the Core Strategy Examination, the Ministry of Defence wrote to the Examination Inspector confirming that its intention to retain a significant presence on the site, reducing the amount of housing it could accommodate to 550 units. A copy of the letter submitted by the Ministry of Defence is provided at Appendix 4.
- 4.14 This is not to say that these sites should not be treated as part of the potential supply of housing land, rather their inclusion and the extent to which they are relied upon to meet the City's housing requirements should be approached with caution given the prospect of these sites not becoming available for development in the timeframe or to the extent assumed at this stage. The uncertainty over the availability and deliverability of these sites would suggest that it may be more appropriate treating these as part of the safeguarded land supply to meet development needs beyond the plan period.

Allowance for flexibility

- 4.15 In view of the above considerations, it is important that the Local Plan includes an appropriate allowance for flexibility. This will ensure that the Local Plan remains robust and deliverable in the event of under delivery, which for the reasons outlined above, presents a significant risk in York.
- 4.16 Recent DCLG analysis has indicated that between 10 and 20% of residential planning permissions are not delivered at all.³ A further proportion of sites deemed to be developable will inevitably not materialise as planning applications. As a result, it is reasonable to assume that upwards of 15% of the total supply (both urban capacity sites and future Green Belt sites) (equating to 2,376 residential units based on a proposed supply of 18,239 units) will not come forward over the plan period, notwithstanding policy support for these sites.
- 4.17 Whilst the Framework does not prescribe a 'Flexibility Factor' with respect to housing allocations, a recent Report to the Communities Secretary and the Minister of Housing and Planning (March 2016) prepared by the Local Plans Expert Group recommends that Local Plans should include a mechanism for the release of developable 'Reserve Sites' equivalent to 20% of their total housing requirement to enable a Plan to respond to rapid change. In the context of York, and given the issues outlined above, a flexibility

³ DCLG Presentations to HBF Planning Conference (September 2015)

allowance of at least 20% should be pursued to ensure that the full objectively assessed need for housing is met.

Ensuring the Green Belt can endure over the long term

- 4.18 As noted above, the Local Plan seeks to allocate sufficient land to meet the housing needs of the City for 5 years after the plan period.
- 4.19 Paragraph 83 of the NPPF advises that in Local Authorities should define Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period. Notwithstanding the comments above, seeking to meet development needs for only five years after the plan period is clearly not consistent with the NPPF requirement to ensure Green Belts endure over the 'long term'.
- 4.20 The emerging Local Plan should therefore seek to define Green Belt boundaries to ensure these can endure for at least ten years after the plan period (i.e. up to 2043 as opposed to up to 2038 as currently proposed).

Overall requirement for the release of land from the Green Belt

- 4.21 Taking the above considerations into account, Tables 4.1 and 4.2 below set out Gallagher Estates' position on the amount of land which should be released from the Green Belt to meet the need for residential development over the plan period. These also consider additional land to be removed from the Green Belt and either designated as safeguarded land or allocated for housing development to meet the need for housing beyond the plan period in order to ensure the Green Belt boundaries for York can endure over the long term in accordance with the NPPF.

Table 4.1: Requirement for the release of land from the Green Belt based on 867 dwellings per annum

Land to meet housing needs over the plan period		
A	Local Plan housing requirement (2017 – 2033)	13,872
B	Shortfall in delivery to 2017	928
C	Allowance for flexibility	2,774
D	Maximum urban capacity	11,649
E	Green Belt release requirement (A + B + C – D)	5,925 dwellings
Land to meet housing needs beyond the plan period		
F	Housing requirement to 2033 to 2043	8,670
G	Assumed reliance on Green Belt release	43%

H	Green Belt release requirement to meet needs beyond plan period (F x G)	3,728 dwellings
I	Total Green Belt release requirement (E + H)	9,653 dwellings

Table 4.2: Requirement for the release of land from the Green Belt based on 1,070 dwellings per annum

Land to meet housing needs over the plan period		
A	Local Plan housing requirement (2017 – 2033)	17,120
B	Shortfall in delivery to 2017	1,746
C	Allowance for flexibility	3,424
D	Maximum urban capacity	11,649
E	Green Belt release requirement (A + B + C – D)	10,641
Land to meet housing needs beyond the plan period		
F	Housing requirement to 2033 to 2048	10,700
G	Assumed reliance on Green Belt release	62%
H	Green Belt release requirement to meet needs beyond plan period (F x G)	6,634
I	Total Green Belt release requirement (E + H)	17,275

4.22 The above calculations demonstrate a need to release land capable of delivering at least 9,653 residential units from the Green Belt to meet needs over the plan period and beyond based on a requirement for 867 residential units per annum, or 17,275 units based on a requirement for 1,070 units per annum. This compares to the Local Plan proposal to release 347 ha of land from the Green Belt to deliver 6,590 units, representing a shortfall of between 4,051 and 10,685 units and approximately 202 to 534 ha.

5. The spatial strategy and selection of sites

The spatial distribution of housing sites

Reinstatement of Policy SS3 of the 2013 Draft Local Plan

- 5.1 A key question in the development of any spatial strategy is that of how, in broad terms, development should be sought to be distributed across the Local Authority area to achieve the optimum spatial approach.
- 5.2 The pattern of distribution has critical economic, environmental and social implications and a sound plan must first seek to consider and understand this. York is not a uniform area where the positive social and economic impacts of development will be the same irrespective of where development takes place. Distribution must not be viewed as a subservient consequence of the selection of individual sites which has had no regard to the spatial pattern of growth, rather is an important planning consideration in its own right, determining how the city grows and whether the Local Plan vision will be realised. Conversely, the selection of sites must be the consequence of the implementation of a purposefully planned distribution of allocations.
- 5.3 It is noted that this question was considered in the development of the 2013 Draft Local Plan and various options for the spatial distribution of development were considered through the June 2013 Sustainability Appraisal. This identified as preferred spatial distribution as follows:

'Prioritise development within and / or as an extension to the urban area and through the provision of a single new settlement'

- 5.4 The policy articulation of this was provided through Policy SS3 of the 2013 Draft Local Plan. This set out that 19% of new allocations would be directed to the main urban area of York, 42% would be delivered through extensions to the main urban area and 39% would be directed to areas outside of the York ring road, including through the provision of a standalone settlement at Whinthorpe and growth within the outlying settlements to York. In addition 3,231 units would be provided through delivery of schemes benefitting from planning permission, including the development of five strategic sites within the main urban area of York. Whilst the 2013 Draft Local Plan did not set this out as such, it is assumed that the vast majority of these commitments were on sites within the main urban area.
- 5.5 Accordingly, against a proposed housing requirement of 1,250 units per annum between 2012 and 2030 (total requirement of 22,500 units), the following spatial distribution was proposed:
- 7,506 units (33%) within the main urban area of York (assuming 100% of extant commitments are located in the main urban area) and 8,093 units (36%) as extensions to the main urban area of York (total of 69% within the urban area and as extensions);

- 7,515 units (31%) outside beyond the York ring road, including through the provision of a single standalone new settlement.
- 5.6 This spatial distribution broadly reflects the preferred option for the spatial distribution of development as tested through the 2013 Sustainability Appraisal.
- 5.7 This strategy would clearly deliver significant sustainability benefits in siting residential development where this achieves the highest level of co-location with employment opportunities and services, where it provides the best prospect of minimising travel and commuting and promoting sustainable transport choices and in providing the potential to utilise and tap into existing infrastructure capacity (transport, utilities and community) concentrated within the main urban area to accommodate growth.
- 5.8 The 2013 Sustainability Appraisal continues to be relied upon by the Council in determining the most appropriate spatial strategy for York and the spatial distribution of development sites. There has been no reconsideration of the spatial distribution of sites through the development of the Local Plan and so it is assumed to be the case that the preferred option tested through the 2013 Sustainability Appraisal remains the Council's selected option for the purposes of the Local Plan.
- 5.9 However it is noted that the 2017 Draft Local Plan does not contain an equivalent to Policy SS3 of the 2013 Draft Local Plan. Instead Policy SS1 outlines what considerations will determine the location of new development, without any reference to the requirement to achieve a specific spatial distribution of development.
- 5.10 As noted above, the spatial distribution of development sites is a critical consideration for the Local Plan and cannot be set aside as simply an inconsequential output of the selection of sites for allocation. It is critical to the soundness of the Local Plan that the equivalent of Policy SS3 of the 2013 Draft Local Plan is reinstated into the plan. In the absence of any update to the Sustainability Appraisal to reconsider options for the spatial distribution of development, this should continue to reflect the output of the 2013 Sustainability Appraisal; that being that prioritising development within and / or an extension to the urban area represents the most sustainable approach to the growth of York.

Compliance with the preferred spatial distribution

- 5.11 Further to the above, it is noted that changes to the Local Plan since 2013 means that the Draft Local Plan as presented is now not consistent with the preferred spatial distribution approach, fully tested and proven to represent the most sustainable approach through the 2013 Sustainability Appraisal.
- 5.12 Gallagher Estates has undertaken a review of the sites proposed for allocation within the Draft Local Plan. This comprises:
- 3,578 units on sites benefitting from planning permission (assumed to be located within the main urban area of York)
 - Allocated sites within the main urban area of York and as extensions to the urban area of York providing 6,400 units.

- Three standalone new settlements providing 4,245 units across three separate sites;
 - Other sites outside of the York ring road providing 1,912 units.
- 5.13 As a result, 62% of units will be provided within the urban area of York and as extensions to the urban area, with 38% being provided as standalone new settlements (3 of) or extensions to outlying settlements. This represents a significant deviation from Policy SS3 of the 2013 Draft Local Plan with a 10% swing away from the urban area and urban area extensions plus the introduction of two new standalone settlements.
- 5.14 Clearly the preferred spatial distribution of sites selected through the Sustainability Appraisal process is open to interpretation, however the extent to which sites which comprise standalone new settlements and land outside of the York ring road are relied upon to deliver the spatial strategy does not reflect the selected strategy of prioritising development within and / or as extensions to the urban area. Put simply the distribution of sites is now too disbursed and has moved away from the preferred option adopted by the Council.
- 5.15 This will have a number of adverse impacts, including:
- Increasing levels of longer distance commuting into the centre of York employment purposes by placing development further away from the City Centre where the opportunities to choose sustainable modes of transport are significantly reduced;
 - Increasing congestion on York's key arterial roads in view of the above;
 - Requiring the development of brand new social and transport infrastructure to accommodate new standalone settlements rather than building on and utilising existing infrastructure;
 - Placing unnecessary pressures on existing infrastructure (transport and community) within outlying settlements which may not be able to sustain the level of planned growth given the size of the existing communities which this infrastructure supports;
 - Failing to properly consider the social dimensions to growth, including how development can achieve positive regenerative outcomes such as securing new community facilities in existing areas of need or through increasing localised consumer spending capacity, helping to support existing services and local and district centres.
- 5.16 Given the relative sparsity of the population outside of the ring road, there is a significant degree of uncertainty as to whether the transport and community infrastructure exists to accommodate the level of growth proposed in this area. At the very the least, the Council has failed to undertake any appraisal to consider this issue. Where this infrastructure is inadequate, new infrastructure will need to be developed to accommodate the proposals. This might be achievable, however it should be a last resort and developing in areas where the existing infrastructure can accommodate

growth, either based on existing capacity or extending and improving existing infrastructure, is a fundamentally more sustainable approach to growth.

- 5.17 Further the selected and tested preferred option for the spatial distribution of sites is clearly based on the provision of one new standalone settlement. The Draft Local Plan now proposes the allocation of no less than three standalone settlements (ST5, ST7 and ST14). This is very clearly a significant deviation from the preferred option for the spatial distribution of development tested through the Sustainability Appraisal process and adopted by the Council for the purposes of progressing the Local Plan.
- 5.18 The Local Plan must be subject to substantial amendments to bring it in line with Policy SS3 of the 2013 Local Plan as reflective of the spatial distribution fully tested and resolved to represent the most sustainable approach to growth through the 2013 Sustainability Appraisal. This will include increasing the amount of development which is directed to the urban area and extensions to the urban area and removal of two of the three proposed new settlements from the Local Plan.
- 5.19 This conflict is a critical deficiency in the Draft Local Plan. The spatial distribution of sites, and the number of new settlements, proposed has not been tested through a Sustainability Appraisal process and cannot be deemed to be the most sustainable compared to reasonable alternatives. The evidence base to support the spatial approach is entirely absent. The Local Plan cannot be justified and is unsound as a result.

The process of site selection

- 5.20 As outlined in section 2 of this representation report, the body of evidence which has fed into the selection of sites for allocation is significant with numerous stages of appraisal undertaken, including partial reappraisal at different stages as the Local Plan has developed over a number of years.
- 5.21 The justification for the selection of the chosen sites, and the discounting of reasonable alternatives, is unclear. There is no single analysis which presents a comparative assessment of all of the site options working to a consistent sustainability criteria and there is no evidence that sites have considered on an equal footing.
- 5.22 It is incumbent upon the Council to present clear evidence and justification for its decisions. The site selection evidence simply does not provide this, with inconsistencies and contradictions throughout. This issue alone is likely to mean that the plan is not capable of being found to be unsound.
- 5.23 Whilst not intending to present a full analysis of the deficiencies in the evidence base in this regard, it is helpful to draw attention to a number of instances where this arises by reference to the 2013 Site Selection Paper which forms the basis of the selection of sites for allocation, supplemented by updated assessments undertaken in 2014.

Assessment of new settlement sites

- 5.24 The 2013 Site Selection Paper sets out the process of appraising the sustainability of sites considered for development. This comprised 4 criteria. Criterion 4a and 4b relate to access to services and sustainable transport. Paragraph 15.1 of the paper states that

sites over 100 ha in size and capable of accommodating more than 3,000 units were not assessed against this criterion on the basis that they are large enough to provide this infrastructure as part of the development (i.e. they effectively satisfy the criterion without further assessment).

- 5.25 Whilst there may be some rationale to this approach, it is noted that none of the new settlement options now proposed as part of the Draft Local Plan will provide 3,000 residential units over the plan period, with the largest (Allocation ST5) assumed to provide 2,200 units over the plan period. The other new settlements (Allocations ST7 and ST14) will deliver just 845 and 1,348 units in total respectively. Clearly these sites do not provide the critical mass of residential development to fund the provision of the full suite of community and sustainable transport infrastructure needed for these settlements to become sustainable places, in accordance with the Council's own assessment criteria. The Council has failed to evidence that these sites can present sustainable development opportunities and their allocation cannot therefore be justified at this stage. The inclusion of these sites is therefore unsound.

Treatment of urban extension sites

- 5.26 It is noted that the site assessment is undertaken on the basis that urban extension sites above 3,000 units also do not need to meet the sustainability criteria relating to access to services and transport on the assumption that sites of this size can provide their own such facilities. This is an appropriate threshold in respect of new settlements, where there is no existing service provision to speak of and the potential for building on and connecting the development into existing infrastructure is very limited. However, the same does not apply to urban extensions.
- 5.27 Urban extension sites are, by definition, connected to and build on the existing urban area and its infrastructure. Accordingly, such sites can in many cases be made sustainable through limited levels of investment in existing facilities in the wider area. This might be through an extension or improvement to an existing bus service operating locally such that this routes through the site or provision of a small new local centre which, if serving the site alone may not be viable, but if located where it can serve the existing residential area surrounding, could feasibly be achieved.
- 5.28 In considering the future sustainability potential of sites, urban extensions should be assessed on a different basis to new settlements. Sites comprising as little as say 300-400 residential units can offer the potential to fund improvements to existing local infrastructure in order to improve the sustainability credentials of the site and to improve the accessibility to such facilities for existing residents.

Treatment of sites located with historic setting and character areas

- 5.29 The City of York is seeking to formally define its Green Belt for the first time. Paragraph 84 of the NPPF states that:

'When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.'

5.30 This is to say that the definition of Green Belt boundaries must be undertaken in the context of an appreciation of development needs and the consequences, for sustainable development, of defining land as Green Belt. Indeed, paragraph 84 recognises that much Green Belt land is inherently well located in relation to main urban areas and concentrations of activity, in contrast to open areas of countryside distant from a main urban area.

5.31 As part of the site appraisal process undertaken by the Council, sites which are deemed to fall wholly within one or more areas identified as forming part of the historic setting and character of the City (essentially those deemed to make a strategic contribution to the Green Belt against NPPF Green Belt Purpose 4) were discounted and not subject to further consideration, with some isolated exceptions. The approach is summarised at paragraph 9.2 of the 2013 Site Selection report:

'The Approach to the Green Belt Appraisal (2003) study carried out by the Council indicates that, regardless of the extent to which the City may have to identify further land to meet its development requirements and needs, there are areas of land outside the existing built up areas that should be retained as open land due to their role in preserving the historic character and setting of York.'

5.32 This approach is at odds with the guidance provided at paragraph 84 of the NPPF.

5.33 Key components of the historic development of York are the Green Wedges which incorporate the river corridors of the Ouse and Foss and the historic strays and 'ings'. These areas of open land extend between the historic core and the outer ring road and provide an important connection between the rural hinterland and the city centre. They are indicative of the historic evolution of the city, provide important areas of open land and allow views to the city's landmarks.

5.34 Between the urban edge of York and the Outer Ring Road a number of tracts of land are identified as 'Areas Retaining the Rural Setting' of York. The Green Belt Appraisal undertaken by City of York Council in 2003 described these as 'Areas which provide an impression of the historic setting of the city'.

5.35 Whilst fully acknowledging the need for a considered and cautious approach to sites immediately surrounding the urban area of York, Gallagher Estates does not agree with the Council's contention that sites which fall within areas 'retaining rural setting' are sacrosanct and should automatically be discounted as part of the site appraisal process.

5.36 In this regard it is unreasonable and inconsistent with national planning policy to treat sites which are deemed to be within the rural setting of York in the same manner as sites within Flood Zone 3b or areas of ancient woodland for example, as the Council has done. Clearly there is a specific direction from national policy that development in the latter should be restricted, which does not apply to the former.

5.37 Whilst comprising open land and providing a setting to the urban area, many such areas have no meaningful relationship with the historic core of York. Such locations are evidently less sensitive to development than other areas of open land which do protrude into the historic core of York and have a clear physical relationship with this, such as the Strays. They shouldn't be treated on the same basis as these more sensitive locations.

- 5.38 Further, given the presence of the York ring road, the rural land immediately surrounding the main urban area makes a much lesser contribution to purposes 1 and 3 of the NPPF Green Belt purposes (namely 'to check the unrestricted sprawl of the built up area' and 'to assist in safeguarding the countryside from encroachment') than other areas of open land. In this regard, the ring road functions as a physical defensible boundary to more open areas of countryside beyond. Land beyond the ring road clearly doesn't benefit from this and, in the context of Green Belt purposes 1 and 3, is significantly more sensitive to development. This is given no consideration in the Council's appraisal of sites, reflecting an approach which views the Green Belt and its function in a narrow manner. This approach is unjustified.
- 5.39 The Local Plan must seek to secure the optimum sustainable outcomes, giving equal weighting to all dimensions of sustainability in the planning balance. This requires the Local Plan to be progressed based on assessing the sustainability of potential development sites in a broad sense (including social, economic and environmental considerations) and, similarly, considering a site's sensitivity to release in Green Belt terms based on a consideration of its contribution to all purposes of the Green Belt.
- 5.40 No site can be justifiably discounted before a consideration of the wider sustainability benefits which might arise through its development unless a clear direction to this effect is provided in the NPPF. In the context of paragraph 84, and in respect of sites deemed to perform a specific Green Belt function, no such direction is provided. All sites, irrespective of their assumed Green Belt function, need to be subject to a full sustainability appraisal, with appropriate weighting given to each dimension of sustainability.
- 5.41 In considering this matter further, attention is drawn to the letter at Appendix 6 of this representation issued by the Inspectors in respect of the Cambridge City and South Cambridgeshire Local Plan Examinations. This highlights weaknesses in the Councils' evidence base and justification for rejecting the selection of sites on the urban edge of the main settlements on the basis of these being more sensitive to development in Green Belt terms, without a counter assessment of the sustainability benefits which would be derived from their release. The issues presented in this letter are very similar to those present in respect of the York Local Plan and centre on the premature and unjustified rejection of site options based on a narrow appraisal (limited to a single topic area) of sustainability. York Local Plan is very clearly at risk of being found to be unsound on a similar basis to the Cambridge City and South Cambridgeshire Local Plans in falling foul of the same issue.
- 5.42 The Council's appraisal therefore represents a flawed approach to the selection of sites at odds with the NPPF. The justification for discounting such sites is deficient and needs to be fundamentally reviewed. The Draft Local Plan is unsound as a result.
- 5.43 Notwithstanding the above, the publication of a proper Green Belt Assessment which considers the extent to which different areas of open land around the urban area contribute to the five purposes of the Green Belt set out in the NPPF is a critical part of the evidence base for the development of the Local Plan. Without this, it is not possible to identify how the Green Belt should be defined through the Local Plan nor to identify

sites and areas of land which may be capable of being developed with affecting the ability of the retained open land from fulfilling a Green Belt function in the long term.

- 5.44 The Preferred Sites Paper published for consultation in 2016 confirmed that work is 'ongoing' to look at the parcels of land around York to understand their significance and contribution against Green Belt purposes set out in the NPPF. No further work has been published by the Council as part of the Draft Local Plan consultation and so at this juncture, it remains the case that the Council has failed to publish a Green Belt Assessment to inform the selection of sites for allocation. This is a key legal deficiency and fundamental flaw in the plan making process.
- 5.45 Gallagher Estates set out its concerns with regard to this position and the manner and extent to which matters of Green Belt contribution and impact had been considered within the selection of sites for allocation at paragraphs 3.27 to 3.41 of its representations to the Preferred Sites consultation.
- 5.46 These issues have very clearly not been rectified. Given the more advanced status of the Plan, this is now even more critical deficiency in the plan and its evidence base. It renders the Local Plan unjustified in its current form and therefore fundamentally unsound.

6. Treatment of land at North Field

- 6.1 This section of the representations report provides comments on how the Council has treated land at North Field within the Local Plan and its evidence base.

York SHLAA 2017

- 6.2 The Council's published Strategic Housing Land Availability Assessment (SHLAA 2017) provides the Council's latest stated position with respect to the site. It reiterates previous conclusions drawn by the Council regarding the suitability of the site for allocation in the Local Plan. This includes a brief commentary on this site in the context of the submission made by Gallagher Estates. It concludes that:

'The site fails criteria 1 as it is within historic character and setting area, partly area preventing coalescence (G4) and area retaining rural setting. This land creates a physical and visual separation between the A1237 and the main urban area of York and between Knapton and Beckfield Lane. Whilst it is acknowledged that landscaping could provide some mitigation the introduction of a solid form in this location would compromise what is currently open countryside.'

- 6.3 As part of this further representation to the Local Plan, and to supplement the case for allocation of its site as set out to date, Gallagher Estates has commissioned further work to consider the Council's stated reasoning for determining that the site should not be allocated for development through the Local Plan. This has included a critique of the Council's evidence base insofar as it relates to this site. This critique focuses on four key areas.

Landscape and historic setting considerations

- 6.4 CSA Environmental has undertaken a further landscape assessment of land at North Field in the context of the Council's stated reasons for not taking this site forward. This appraisal is provided at Appendix 7. This explains that the site lies at the edge of the built up area of York but that owing to the disposition of built development, vegetation along the route of the A1237 and the low lying topography, middle and long distance views of the site are extremely limited and, critically, the historic core of York is not visible in views across the site. There are only fleeting views of the site from the ring road and in views from the edge of Knapton to the west of the site, post-war housing in the suburb of Acomb is clearly a visible component in the backdrop. It is also notable that there are significant urbanising influences in this location, including service station and retail facilities at the junction of the A59 and A12357. These compromise the rural character of this location which the Council claims to exist.
- 6.5 The existing development at Acomb presents a blunt edge to York and a sensitively designed scheme which maintains a landscaped / farmland buffer to the ring road would respect the rural setting of this approach to the City. Development would be closely related to existing housing and would assist in maintaining the impression of a compact city, minimising encroachment into the wider countryside.

- 6.6 As considered in section 5, between the urban edge of York and the ring road a number of tracts of land are identified as 'Areas Retaining the Rural Setting' of York. This includes land at North Field.
- 6.7 These designations have had a significant influence on the Local Plan.
- 6.8 The Green Belt Appraisal undertaken by City of York Council in 2003 described these as '*Areas which provide an impression of the historic setting of the city*'. It notes that category relates to:
- 'significant tracts of undeveloped land providing an open foreground of rural character enabling good views of the Minister or towards an urban edge of a historic character from a prominent and frequently used place'*.
- 6.9 It should be noted that this appraisal identified three such areas which performed this function and did not originally include the land at North Field. The northern part of the land at North Field was subsequently included within this area following supplementary work undertaken as part of the Historic Character and Setting Technical Paper Update (June 2013). This report considered the northern part of this land parcel as important to retaining the rural setting of the City when viewed from the A1237 and the A59.
- 6.10 Gallagher Estates' own assessment would agree that the land at North Field represents an area of undeveloped farmland between the existing edge of settlement and the A1237. Despite this, views from the ring road are of modern housing development at the edge of Acomb, albeit with farmland in the immediate foreground. Views of the historic core / landmark buildings in York are unavailable.
- 6.11 In addition, the land at North Field displays few historic landscape features. Whilst it does function as a buffer of residual farmland between the A1237 and housing in York, it does not play the same role in defining the historic settlement pattern of York as the Green Wedges; nor is it as sensitive as other locations at the periphery of the city where views are available to the historic core.
- 6.12 The Council also identify 'Areas Preventing Coalescence', including the southern part of North Field. This land plays a role in preserving the separate identity of Knapton from the edge of York at Acomb. Again, Gallagher Estates would acknowledge that proposals for residential development at North Field would need to carefully consider the separation and setting of Knapton, however this could be achieved by sensitive masterplanning and should not represent an overriding constraint to growth in this direction.
- 6.13 Gallagher Estates' landscape and visual analysis of the land at North Field has identified that this land does function as a landscape buffer to the outer ring road and to the neighbouring settlement at Knapton. Despite this, it plays little role in the historic setting of York and should not be considered as sensitive as other land parcels which play a much more direct and important role in the landscape and historic setting of the city.

Heritage asset considerations

- 6.14 Turley Heritage has undertaken a heritage assessment of the site in the context of the Council's conclusions on the site's suitability for residential development and allocation in the emerging York Local Plan. This appraisal is based upon a site visit and a desk based review of relevant heritage assets. The appraisal identifies relevant heritage assets close to the site and undertakes a brief review of any interrelationship between the site and key assets in York city centre.
- 6.15 The site is located in an area defined by the transition between the urban townscape of York to the east, and the visual and physical barrier of the A1237 to the west which bisects the landscape north-south and separates the site from the more open agricultural and rural landscape to the west. The site is in agricultural use and is subdivided into large fields principally by hedgerows. The topography is largely flat and modern residential dwellings are visible to the east and south.
- 6.16 A review of historic maps has been undertaken and below is a summary of the history and development of the Appraisal Site and surrounding area. The findings of this review are presented below.
- 6.17 During the mid-19th century the Appraisal Site was part of a large area of open agricultural landscape to the east side of York. By 1907 the dramatic incursion of the railway had taken place to the east side of York but the Appraisal Site and surrounding area remained in agricultural use. During the early 20th century incremental development expanded to the west side of York, and by the 1920's a cluster of terraced dwellings has been built to the south east of the Appraisal Site. By 1950 dramatic change affected the landscape separating the Appraisal Site and the urban edge of York; this large area was filled with housing estates and the Appraisal Site became the edge of the urban settlement. Additionally there was residential growth in Knapton during this time. During the late 20th century development to the west side of York increased in density and became more heavily urbanised. At the same time the field boundaries within the site were amalgamated to create larger fields.

Heritage Assets

- 6.18 The closest conservation area to the site is the **Acomb conservation area**, which is located approximately 600m to the south east of the Appraisal Site. The conservation area was designated in 1975 and it focuses upon the historic core of Acomb village and the Green but has been entirely enclosed by later residential estates constructed during the mid-late 20th century. Due to this built development and the distances involved there is no visual relationship between the Appraisal Site and the land within the conservation area. There is also no known functional or historic relationship between the conservation area and the Appraisal Site and it does not form part of the setting of the conservation area.
- 6.19 The Appraisal Site is proximate to two listed buildings to the south of the site. These buildings are **St Peters Cottages** (Grade II) and **St Peters Farm Cottage and St Peters Farmhouse** (Grade II). Both are located in the centre of Knapton Village on the east side of Main Street. St Peters Cottages is a house which dates to the late 18th century and was raised to two storeys in the 19th century. It is in brick with Flemish bond

to the ground floor and English garden wall bond above with a 20th century pantile roof. The building is two storeys and two bays and the central door and 20th century windows are below elliptical arches. The building is of architectural and historic interest as 18th century house with legible alterations.

- 6.20 St Peters Farm Cottage and St Peters Farmhouse consist of a principal house dating to the mid-18th century with a cottage of early-mid 18th century to the north. The house has a Welsh slate roof. The 20th century door is to the left with two three light Yorkshire sashes to the right, below elliptical arches, and a dentilled eaves course. The Cottage is a direct entry 2 cell plan with a central door with a two light casement to the left and three light casement to the right. Both are two storeys with the cottage with a slightly lower roofline; the roofs are steeply pitched with end stacks. The buildings are of architectural and historic interest as 18th domestic properties and may have agricultural origins.
- 6.21 Both listed buildings are located in the centre of Knapton village and are positioned at the road frontage; they are legible as historic domestic dwellings in a village setting and have a resonance with other traditional properties on Main Street. The traditional street form and other historic properties are elements of setting which contribute to significance. The two listed buildings also have group value in their shared traditional appearance, materiality and scale. The development of 20th century residential buildings to the west side of Main Street and Back Lane to the rear has however partially eroded the appreciation of the historic context of the assets. The buildings are enclosed by built development and there is no visual relationship to the surrounding landscape.
- 6.22 The site is to the north east of St Peters Cottages and St Peters Farm Cottage and St Peters Farmhouse and there is no visual relationship between the site and the assets. There is also no known functional or historic relationship. The Appraisal Site is not considered to make any contribution to the significance of these assets.
- 6.23 The west boundary of **York City Central Historic Core Conservation Area** is approximately 3km to the east of the site. The boundary encompasses much of the complex and layered central area of the City of York and principally encloses the medieval core. The designated area is enclosed by large areas of post-war residential and commercial development. The land between the Appraisal Site and the Conservation Area boundary is largely developed with mid-late 20th century residential areas and due to the distances and topography there is no visual relationship between the Appraisal Site and any part of the conservation area. There is also no known functional or historic relationship between the conservation area and the Appraisal Site.
- 6.24 **York Minster** (Cathedral Church of St Peter, York Minster) (Grade I listed) is located approximately 3.5 kilometres to the east in the centre of York. There are no views of York Minster from within the Appraisal Site or from the immediately surrounding area. There is therefore no visual relationship between the Appraisal Site and this important listed building. There is also no known functional or historic association between the Minster and the Appraisal Site that would suggest it makes any contribution to the significance of the asset.

Green Belt policy considerations

- 6.25 It is helpful to consider the above matters in the context of Green Belt policy and the extent to which the site can reasonably be considered to make a strong contribution to the Green Belt as claimed by the Council.

Purpose 2: Preventing neighbouring towns from merging (coalescence)

- 6.26 Whilst noting the role which this site plays in preventing the urban areas of York and Knapton merging, Gallagher Estates has put forward a scheme which will ensure this function is not compromised through the development of the site. This is achieved through a considered design approach which will incorporate a significant area of retained open land between the western edge of the development and Knapton would remain. At its narrowest, this gap will be c280 m wide, securing a sufficient degree of separation to the extent that the development would generally be no more visible from Knapton than the existing urban edge of York. This is explained in further detail within Gallagher Estates representations to the Preferred Sites consultation (See Appendix 1 paragraphs 5.22 to 5.40).

Purpose 4: Preserving the setting and special character of York

- 6.27 Policy 31 of the Draft Local Plan notes that the primary purpose of the York Green Belt is to preserve the setting and special character of York. This is broadly comparable Purpose 4 of the Green Belt set out at paragraph 80 of the NPPF, namely:

'to preserve the setting and special character of historic towns'

- 6.28 As outlined elsewhere in this report, the Council has undertaken work to identify areas of land which contribute to the historic character and setting of York. Sites which make such a contribution are essentially deemed to perform a strategic Green Belt role and treated as sacrosanct by the Council and not appropriate for development.
- 6.29 Gallagher Estates' comments in section 5 highlight the conflict of this approach with paragraph 84 of the NPPF. Put simply, the suitability of this land to accommodate development must be undertaken in a balanced manner, weighing benefits against adverse impacts. It cannot be discounted before and without proper consideration of its ability to contribute to the wider objectives of the Local Plan, notwithstanding that in Green Belt terms, it may be sensitive to development to some degree.
- 6.30 Notwithstanding this, and for the reasons outlined above, Gallagher Estates does not agree with the Council's assertion that land at North Field forms part of the historic character and setting of the City. As outlined above, and as confirmed by the Council's 2003 Green Belt Assessment, land is deemed to perform this function where it *'...provides an impression of the historic setting of the city'* and relates to *'significant tracts of undeveloped land providing an open foreground of rural character enabling good views of the Minister or towards an urban edge of a historic character from a prominent and frequently used place'*.
- 6.31 It is undeniable that North Field does not enable good views of the Minister or towards an urban edge of a historic character as has been demonstrated through the landscape and heritage assessment above. In accordance with the Council's 2003 Green Belt

Assessment, it does not meet the Council's own definition of land which forms part of the historic character and setting of York.

- 6.32 The site does form part of the rural hinterland to York, however given the physical context to this site, this simply reflects its landscape characterisation and does not mean it takes on a Green Belt function. The Council has incorrectly characterised the site and its function in this instance. The evidenced basis for the Council's rejection of the proposed allocation of the site is therefore fundamentally flawed and the Local Plan is unsound as a result.

Other Green Belt purposes

- 6.33 Finally, by the Council's own admission, the site does not contribute to Green Belt purposes 1 and 3 as set out in the NPPF given the firm and defensible boundary provided by the ring road. This contrasts with other land in York, particularly that beyond the ring road which does contribute to these functions, notwithstanding the Council's unsubstantiated assertion that the York Green Belt only has principally only one function.
- 6.34 Paragraph 50 of the NPPF requires Green Belt boundaries to be drawn using physical features are readily recognisable and likely to be permanent. The York ring road would provide such a feature in relation to the land at North Field. In stark contrast, the definition of the Green Belt boundary as proposed through the Draft Local Plan will result in isolated pockets of new urban area being created within the wider expanses of open Green Belt beyond the ring road. The Green Belt boundaries around these settlements will clearly not be drawn along physical and permanent features but are drawn along weak and poorly defined field boundaries. These boundaries will ultimately not be defensible leaving the remaining Green Belt open to further encroachment and sprawl.

Other sustainability considerations

- 6.35 Using the available technical evidence for Land at North Field as well as the previously submitted representations an independent Sustainability Appraisal Assessment has been undertaken utilising the methodology adopted by the Local Plan and referenced within the Sustainability Appraisal. This is presented in Appendix 5 and considers the sustainability of this location in comparison to two selected proposed allocations – sites ST7 and ST8.
- 6.36 This assessment demonstrates that North Field represents a more sustainable option for residential development than the two proposed allocations based upon its performance against the Sustainability Appraisal Framework.

Summary

- 6.37 It is Gallagher Estates view that the characterisation of the site as forming part of the historic character and setting to the City is flawed given the relationship which this land has with the historic core of York. Land can only perform this function where the historic core of York is visible from views across this land and where the historic core provides a backdrop to this land, as confirmed by the Council's own definition provided in the 2003 Green Belt Assessment. Clearly that does not apply in the case of North Field. The

evidential basis on which the site has been discounted without proper consideration as a viable and sustainable development opportunity is deficient. The Local Plan is not justified and is unsound as a result.

- 6.38 More generally, and as outlined in section 5, the Council's approach to appraising sites which are deemed to have a specific Green Belt function in respect of NPPF Purpose 4 is at odds with paragraph 84 of NPPF. As a procedural point, there is no justified reason for discounting such sites on the basis of one aspect of their Green Belt contribution (as only one provision of national planning policy) without properly considering their sustainability credentials in a broader sense. This puts the Local Plan in conflict with the NPPF (paragraph 84) and renders it unsound as a result.

7. Comments on Sustainability Appraisal process

- 7.1 This section of the representation report highlights a number of concerns with respect to the SA process undertaken by the Council.

The City of York Local Plan Sustainability Appraisal. Pre-publication Draft, September 2017

The Spatial Distribution Strategy

- 7.2 It is evident that the Pre-Publication Draft Sustainability Appraisal (2013) has provided the only opportunity to comment upon the sustainability implications of the chosen spatial distribution strategy in the context of the new Local Plan and its revised housing and employment numbers.

A revised spatial strategy

- 7.3 It is the view of Gallagher Estates that as part of the new Local Plan, a review of the spatial distribution strategy should have been undertaken to address a number of key sustainability issues which could be positively addressed by ensuring that the spatial strategy considers social, economic and environmental matters in a balanced manner. This revision of the spatial strategy should have considered the following factors as a minimum:
- (a) Out-Commuting – Section 4.11 of the baseline data section of the Sustainability Appraisal notes that the highest number of out-commuters journey to Leeds with the third highest commuters to Harrogate both of which are on the West of the City. Given the air quality issues within York it is clearly appropriate to consider locating housing to the West of the City to provide those commuters to Leeds with the opportunity to live closer to their places of work as proposed to sites in the East of the City which would require commuting across York. Further, it is inherently more sustainable to locate residential development in locations which provide good connections to economic centres. Given the level of out-commuting to the City of Leeds, there is a strong sustainability argument for focusing development in the western part of the city.
 - (b) Maximising socio-economic benefit – Section 4.4 of the Sustainability Appraisal identifies that whilst there has been a general reduction in deprivation across York there remain notable pockets of deprivation which should be tackled and is identified as a key sustainability issue for the Local Plan. The location of new housing within or close to these areas of deprivation would bring substantial social benefit which should be considered against any environmental impact. Figure 4.5 within the SA identifies the areas of deprivation and it is noted that the ward of Westfield is adjacent to the ward which contains Land at North Field and is currently identified as being within the top 20% of deprived wards in the UK.

7.4 A revision of the spatial strategy to consider issues listed above may also have additional sustainability benefits to a number of other key baseline sustainability issues identified by the Sustainability Appraisal⁴ which include:

- Air quality is a key sustainability issue within the City of York with a number of Air Quality Management Areas (AQMA's) located in the City Centre and on the main transport routes into the city. It is noted from Figure 4.10 of the Sustainability Appraisal that there are no AQMA's on the West of the City around Acomb and its surrounding urban area. Locating residential development to the West of the site would alleviate additional pressure upon the AQMA's in the City.
- Cultural Heritage. It is noted within the SA that the West of the City is relatively unconstrained with regards to heritage⁵ sensitivity when compared to the rest of the City. Gallagher Estates would fully agree with this. Locating residential development within this area would therefore have a lower impact when compared to development to the North or South of the City.
- Landscape. Gallagher Estates representations to the Preferred Sites consultation in 2016 (provided at Appendix 1) noted that the Local Plan is not supported by a robust landscape evidence base which adequately assesses landscape impact across the City. Evidence submitted with the Representations identified that development to the West of the City (and particularly around Acomb) will not negatively impact upon views of the York Minster which is a fundamental criteria of the spatial distribution strategy.

Appraisal of all Reasonable Alternatives to deliver the housing demand

7.5 Gallagher Estates has significant concerns with regards to the process for identifying and selecting the reasonable alternatives to deliver the revised housing demand as set out in the Draft Local Plan. These can be summarised as follows:

- (i) The use of a methodology to appraise reasonable alternatives that is contrary to the Planning Practice Guidance;
- (ii) The use of selection criteria to select the reasonable alternatives that are too focused on environmental constraints; and
- (iii) The failure to recognise and appraise Land at North Field as a sustainable location for residential development.

The methodology to appraise reasonable alternatives

7.6 Gallagher Estates representations to the Preferred Sites consultation outlined concerns with regards to the methodology used to appraise the reasonable alternatives to deliver the housing demand. These can be summarised as follows:

- The Preferred Sites consultation document has presented a range of reasonable alternatives to meet the housing demand the majority of which have been carried forward from the aborted Local Plan which rejected or selected a number of sites.

⁴ City of York Local Plan. Sustainability Appraisal Pre Publication Draft. September, 2017. Section 4.15

⁵ City of York Local Plan. Sustainability Appraisal Pre Publication Draft. September, 2017. Figure 4.12

- The preferred sites presented within the Preferred Sites Consultation document have been selected based on the site selection criteria set out in the Site Selection Report (2014) and its predecessor the Site Selection Paper (2013). Assessment material is identified in the following documents:
 - City of York Local Plan Further Sites Consultation Appendix 2: Residential Site Assessment Proformas (June 2014)
 - City of York Local Plan: Site Selection Paper Addendum (September 2014)
- As part of the preparation of the Preferred Sites consultation paper, several sites have been subject to ‘reappraisal’⁶ utilising an updated evidence base as stated in paragraph 2.3.12 of the SA⁷ which has resulted in the selection of a number of additional sites.
- As an example this reappraisal has resulted in the selection of additional housing allocation such as Land at Knapton Village (H53) which is noted as now being considered sustainable⁸ in terms of criteria 4 (Access to Services).

7.7 The requirements of the Environmental Assessment of Plans and Programmes Regulations (2004) and hereafter referred to as The SEA Regulations require the SA report to clearly identify all reasonable alternatives selected and the reasons for the rejection of all alternatives.

7.8 The Planning Practice Guidance (PPG)⁹ states the following:

The sustainability appraisal should outline the reasons the alternatives were selected, the reasons the rejected options were not taken forward and the reasons for selecting the preferred approach in light of the alternatives. It should provide conclusions on the overall sustainability of the different alternatives, including those selected as the preferred approach in the Local Plan. Any assumptions used in assessing the significance of effects of the Local Plan should be documented.

7.9 It is clear that not all of the proposed housing allocations selected or rejected by the new Local Plan (reasonable alternatives) have been appraised using the same methodology and evidence base (and therefore the same level of detail) as deployed in the Preferred Sites consultation paper (2016). Had a comprehensive reappraisal been undertaken for all sites selected or rejected during the current and aborted Local Plan process that one or more sites may have been included or rejected as sustainable locations for residential development as indeed occurred for Land at Knapton Village (H53).

7.10 This flaw in the methodology is a breach of the requirements of the SEA Directive and Planning Practice Guidance. To rectify this deficiency the City of York Council must undertake a complete reappraise *all* of the reasonable alternatives considered or

⁶ City of York Local Plan. Preferred Sites Consultation. July 2016 – Pages 16 -19.

⁷ City of York Local Plan. Sustainability Appraisal Pre Publication Draft. September, 2017. Pages 38-39.

⁸ City of York Local Plan. Preferred Sites Consultation. Sustainability Appraisal. July 2016 – Pages 165 -166.

⁹ <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>. Paragraph: 018
Reference ID: 11-018-20140306

rejected through the Local Plan process (including those up to the aborted Local Plan) utilising the same methodology and consult upon the final proposed allocations.

- 7.11 These procedural deficiencies mean that the Council has failed to follow due process in undertaking SA of the Local Plan. They render the plan unsound and does not meet the relevant legal obligations.

8. Proposed residential site allocations – comments on landscape impact

- 8.1 The landscape and heritage evidence base published by the Council has been a key influence on the plan and the distribution of sites for allocation with significant reliance being placed on the findings of the Heritage Topic Paper (2013), the Heritage Impact Appraisal (2017) and the Historic Character and Setting Technical Paper (2017). Collectively, these consider the role and function of open areas of land in preserving the historic character and setting of the City, with much of the land within the York ring road deemed to be performing an important role in this regard.
- 8.2 It is acknowledged that developing an understanding of the role played by open land in preserving the historic character and setting of the City is important in the context of York and, as noted above, this might justify a disproportionate level of development being directed to areas outside of the ring road. However, this needs to be balanced against the adverse impacts arising from this approach as have been highlighted above.
- 8.3 Notwithstanding this, CSA Environmental have undertaken an appraisal of the landscape sensitivity of selected proposed residential allocations in the context of the landscape and heritage evidence published by Council in respect of these sites in order to consider their landscape context and the extent to which they are sensitive to development. This is provided at Appendix 7.
- 8.4 This focuses on five of the proposed allocations and critiques the Council's case for the allocation having regard to their landscape and heritage context. The sites are:
- Land east of Metcalfe Lane (Site ST7)
 - Land north of Monks Cross (Site ST8)
 - Land north of Haxby (Site ST9)
 - Land west of Wigginton Lane (Site ST14)
 - Land to the west of Elvington Road (Site ST15).
- 8.5 Their appraisal is summarised as follows.

Land east of Metcalfe Lane

Evidence base

- 8.6 The site is identified as lying part to the west of an area identified as 'retaining the rural setting of York' and an area which 'prevents coalescence.' The Heritage Impact Assessment notes a concern that a new settlement in close proximity to the city could be out of character with the current pattern of development and that development could impact or obscure views of the Minster.

Impact evaluation

- 8.7 The new housing proposal will be visible in views from the edge of York, including the Osbaldwick Conservation Area and from the A64 and surrounding footpaths. It will therefore be difficult to design a new separate settlement in this location, as is the concept for this site, and the proposals will inevitably be closely associated with housing at the edge of York.
- 8.8 Development in this location will result in encroachment into the rural landscape at the edge of York. It will have some impact on the rural setting of the town and on key views from the A64 towards the historic core.

Land north of Monks Cross

Evidence base

- 8.9 The Heritage Impact Assessment notes that the development would represent a significant intrusion into the open countryside and would erode the rural setting of the village of Huntington and would begin to enclose the green wedge which is located to the east.

Evaluation

- 8.10 The site would introduce development to a section of the Monks Cross Link Road where at present housing is inconspicuous and the landscape dominated by agricultural fields. The development would be highly visible from a number of the approaches to York from the surrounding area. The proposed green wedge along the western boundary would result in a poor relationship between the new housing and existing settlement edge and could form a barrier to effective integration.

Land north of Haxby

Evidence base

- 8.11 The Heritage Impact Assessment states that development would further extent Haxby's boundary beyond its historic core and is likely to have a significant effect on the settlement's compactness. It notes that proposals would impact on historic landscape elements and will have a detrimental impact on the setting of the village, including the rural approach along Moor Lane.

Evaluation

- 8.12 Development would result in the loss of pleasant agricultural land with a distinctive pattern of well trees hedgerows and a historic small scale/strip field pattern. The existing landscape framework would make a comprehensive development scheme, including playing fields and access, difficult to achieve without resulting in losses of trees and sections of hedgerows.
- 8.13 The proposed open space would result in a development which is poorly related to the existing settlement. The development would result in a significant northern expansion of the existing settlement and would impact on the rural approaches along Moor Lane and Usher Lane.

Land to the west of Wiggington Road

Evidence base

- 8.14 The Heritage Impact Assessment identifies that there are potential significant negative impacts from urban sprawl as development would extend beyond the ring road.

Evaluation

- 8.15 Due to the site's relative isolation from the existing highway, new roads would need to be developed crossing tracts of intervening countryside. The woodland belt contains views from the east, whilst to the north, south and west, views will be possible despite the site being relatively flat.

Land to the west of Elvington Lane

Evidence base

- 8.16 The Heritage Impact Assessment notes that there are potential negative impacts from a new access point off the A64, development may obscure or impact on views of the Minster and the Wolds, and proposals could negatively impact on nearby wildlife sites, in particular Hesslington Tilmire SSSI and the Lower Derwent Valley SPA / Ramsar. It also notes potential impacts on existing recreational routes including the Minster Way.

Evaluation

- 8.17 Development would introduce built form into an area which is mainly agricultural land, although the airfield within the southern part of the site and to its east and west changes the land use in this area. New development will impact on a number of ecological and wildlife assets and the effects should be carefully assessed in order to provide suitable mitigation.
- 8.18 The site is flat and is well contained by woodland to the north and south, however, there are partial views to the southwest and some long distance partial views to the northeast. If access is taken from the A64, this will impact on an additional area of farmland to the north. Development would inevitably result in a substantial loss of agricultural land within the countryside and its replacement with housing infrastructure and open space.

Summary and implications

- 8.19 The evidence base for the Local Plan has identified that each of these sites is sensitive to development to some degree and that impacts to the historic setting of York will arise. That is inevitable given the scale of development York needs to accommodate but is a necessary consequence of the City needing to grow.
- 8.20 However at this juncture, and reflecting on the above points, insufficient justification, in respect of landscape and heritage setting impact considerations, for the selection of these sites over others has been provided by the Council. These allocations cannot therefore be justified as representing the most suitable when considered against reasonable alternative. The Draft Local Plan is unsound as a result.
- 8.21 It is requested that further work is undertaken by the Council to explain the justification for the selection of the above sites over others in the context of the adverse impacts identified above and within the prevailing evidence base.

9. Towards a sound plan

- 9.1 These representations have highlighted a number of deficiencies in the Local Plan which, individually and collectively, render the plan unsound and legally deficient in its current form. There are a combination of flaws in the Local Plan's evidence base, procedural deficiencies in the plan's appraisal of site options and a fundamental inconsistency with the selection spatial strategy for York as reflected in the Draft Local Plan (2013) and fully tested through a Sustainability Appraisal process.
- 9.2 At this stage, it is not possible to outline in detail how the plan should be amended to address these points of unsoundness, rather further strategic work and a reappraisal of site options needs to be undertaken by the Council to arrive at a sustainable Local Plan. However, from the analysis above, several critical points are apparent:
- 1) The Local Plan will need to allocate significantly more land for residential development to meet the Local Plan housing requirement and additional land either for residential development or safeguarded for future development beyond the plan period to ensure the Green Belt can endure over the long;
 - 2) The Local Plan will need to increase the proportion of residential development that is directed to the main settlement of York (defined by the ring road) to:
 - achieve a better physical synergy between the location of residential growth and employment opportunities;
 - to avoid unsustainable patterns of commuting and the potential for increased congestion on the outskirts of York;
 - to ensure the Plan utilises and builds on existing infrastructure as a fundamental principle of a sustainable spatial strategy; and
 - to bring the Plan in line with the selected spatial strategy and spatial distribution of development as set out in the 2013 Draft Local Plan and determined to be the most sustainable through the 2013 Sustainability Appraisal.
 - 3) Two of the three proposed new settlements will need to be removed from the Local Plan to bring the Plan in line with the selected spatial strategy and spatial distribution of development as set out in the 2013 Draft Local Plan and determined to be the most sustainable through the 2013 Sustainability Appraisal.
 - 4) The Local Plan will need to reconsider the categorisation of open land inside the ring road and its Green Belt function given the incorrect characterisation of selected areas of land as forming part of the historic setting and character of York;

5) Notwithstanding point 4), the Council and will need to reappraise land which is deemed to contribute to the historic setting and character of York and its suitability to accommodate development in a sustainable manner (based on all dimensions of sustainability) in accordance with the requirements of paragraph 84 of the NPPF.

Land at North Field

- 9.3 In the context of the above, Gallagher Estates has put forward a strong case for the allocation of land at North Field for residential development through the Local Plan. This site can make an important contribution to meeting the strategic housing requirements of the City in a sustainable form, utilising a sustainable location which can add to the quality and choice of housing available within the Acomb area of York and deliver other associated benefits to the area and existing residents.
- 9.4 The development can be delivered in a manner which is sensitive to its landscape and Green Belt setting, retaining a green gap between the urban edge of York and the settlement of Knapton ensuring the overall Green Belt function of this land is retained.
- 9.5 It also offers the potential to facilitate the delivery of the York Outer Ring Road project through dedicating land along the site's front to enabling the dualling of the A1237 to be achieved, thereby avoiding the need for the Council to acquire land and be exposed to the costs, delays and risks associated with this.
- 9.6 The development is of a sufficient scale to accommodate new community facilities, including a school and areas of open space, securing new community infrastructure for the Acomb area of York to which it is well related. It is based on the principle that building on and utilising existing infrastructure, and where necessary and beneficial, improving this, represents the most sustainable approach to accommodating growth.
- 9.7 The site is deliverable in full over the plan period, in the control of an experienced and responsible land promoter.
- 9.8 The site is capable of being designed sensitively to retain a significant green buffer to Knapton and to be delivered at a density and in a form which reflects its semi-rural location and which provides a soft and green edge to the urban area of York. This design quality can be secured through an appropriately worded policy allocation.

**Appendix 1: Gallagher Estates main
representations to the
Preferred Sites consultation**

Appendix 2: Land at North Field, Vision Framework

Appendix 3: An Updated Review of the Objectively Assessed Need for Housing in York

**Appendix 4: Letter from Defence
Infrastructure Organisation to
the Cheltenham, Tewkesbury
and Gloucester Core Strategy
Core Strategy (October 2016)**

Appendix 5: Sustainability appraisal of land at North Field and selected other sites

**Appendix 6: Cambridge City and South
Cambridgeshire Local Plan
Examinations – letter from
Examination Inspectors 20th
May 2015**

Appendix 7: Landscape overview report

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T 0161 233 7676

Turley

From: Grundy, Simon [Simon.Grundy@carterjonas.co.uk]
Sent: 04 April 2018 18:19
To: localplan@york.gov.uk
Cc: Brear, Josh; Dennis Lancaster
Subject: RE: City of York Local Plan Publication Draft consultation – representations for Mr D Lancaster and Oakwood Business Park [CJ-WORKSITE.FID370624]
Attachments: 180404 - Oakwood Business Park reps - final.pdf; Appendix 1 - 171030 - reps letter and plan.pdf; Comments_form_Oakwood.pdf

Dear Sirs,

Further to the above please see attached for completed form and representations statement plus appendix on behalf of Mr D Lancaster and Oakwood Business Park.
We look forward to acknowledgement of receipt.

With best wishes

Simon Grundy
Partner

For and on behalf of Carter Jonas LLP
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Carter Jonas



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Carter Jonas LLP

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Registration Number: OC304417

Address of Registered Office: One Chapel Place, London, W1G 0BG.

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		Simon
Last Name		Grundy
Organisation (where relevant)	Mr Dennis Lancaster – Oakwood Business Park	Carter Jonas
Representing (if applicable)		Gallagher Estates
Address – line 1	c/o agent	9 Bond Court
Address – line 2		Leeds
Postcode		LS1 2JZ
E-mail Address		simon.grundy@carterjonas.co.uk
Telephone Number		0113 223 4142

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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 have no comment in respect of the Sustainability Appraisal or 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	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

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

(Complete any that apply)

Paragraph no.

Policy Refs.

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 statement of case

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 statement of case

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:

In order to fully explore the material considerations in respect of this site through the local plan process it is necessary to attend the Examination in Public to participate in the associated round table hearing sessions.

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.¹

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.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

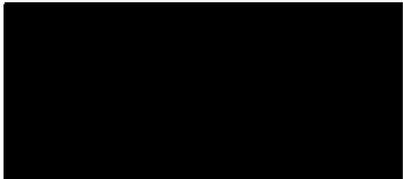
Retention of Information

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.³

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 or on [01904 554145](tel:01904554145)

Signature		Date	04 April 2018
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¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

**CITY OF YORK LOCAL PLAN
PUBLICATION DRAFT (FEB 2018)
REGULATION 19 CONSULTATION**

REPRESENTATIONS

March 2018

Oakwood Business Park Ltd. – Mr D Lancaster

J0010319

Carter Jonas

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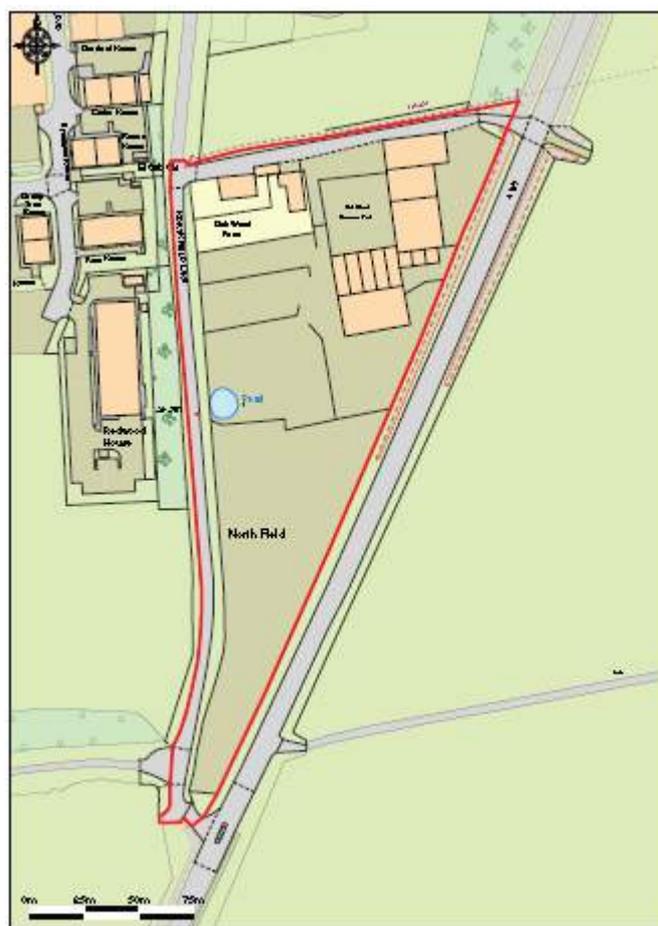
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Appendices

Appendix 1: Carter Jonas Representations 27 October 2017

1.0 INTRODUCTION & EXECUTIVE SUMMARY

1.1 Carter Jonas LLP welcomes the opportunity to make representations upon the February 2018 City of York Local Plan Publication Draft (the plan) on behalf of our clients, Oakwood Business Park Ltd. and Mr D Lancaster. These representations are pursuant to and cross-reference with previous representations by Carter Jonas at the Preferred Sites stage. The representations are in respect of land and buildings at Oakwood Business Park, Northfield Lane, Upper Poppleton, York, YO26 6QZ as shown on the location plan attached to Appendix 1 (Site 1) and Land off Moor Lane forming part of site SS23: Land at Northminster Business Park (Site 2). The Site 1 location plan is reproduced below for ease of reference.



1.2 We object to the retention of Site 1 as Green Belt land and support the allocation of SS23 for employment uses falling within B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987. Our client is keen to work with the City of York Council to help ensure a sound Local Plan can be adopted as soon as possible. We will be pleased to engage with the Council upon matters of green belt review and development potential at the site.

1.3 We note that the Minister for Housing, Communities and Local Government (HCLG) has confirmed (as of 23 March 2018) the council is not one of those selected for local plan intervention. A watching brief will be

maintained by HCLG to ensure the Council continues to meet the published timetable set out within the Local Development Scheme. Notwithstanding this, we have major concerns over the soundness of the plan as currently proposed.

1.4 In summary our main representations are:

- The removal of SS23 from the General Extent of Green Belt and allocation for employment uses is justified and supported.
- However, in other parts of the city the proposed Green Belt is unsound as the proposed boundaries are too tightly drawn and would unreasonably restrict development opportunities for the necessary growth of York.
- SS23 should be extended to include Site 1 to the east of Northfield Lane.
- Site 1 in itself serves none of the five purposes of Green Belt as set out at paragraph 80 of the National Planning Policy Framework (NPPF).
- Development could be undertaken in a manner which would not harm heritage assets and the special character of the City of York.
- As a result of these matters Site 1 should not be designated as Green Belt and parts of the land could be developed for employment uses alongside SS22.

1.5 We have completed a representation form, to which is this statement is attached. Our specific comments are set out below on a section-by-section basis.

2.0 SPATIAL STRATEGY AND DEVELOPMENT LAND REQUIREMENTS

Policy SS1: Delivering Sustainable Growth for York

- 2.1 Policy SS1 seeks to provide sufficient land for new jobs and dwellings. It will provide sufficient land for circa 650 new jobs per annum. SS1 is not considered to be sound as it is not positively prepared, effective or consistent with national policy as a result of the housing requirement being set at 867 dwellings per annum. The GL Hearn Strategic Housing Market Assessment May 2017 clearly recommends that, based on their assessment of market signals evidence and some recent Inspectors decisions, the council should include a 10% market signals adjustment to the 867 figure, resulting in a requirement of 953 dwellings per annum. We are aware that other respondents are indicating figures of 1,070 in line with the emerging new national housing land requirement methodology or even higher.
- 2.2 We will maintain an overview and watching brief in respect of the employment land requirement and reserve the right to participate on this matter at the Examination in Public.

Policy SS2: The Role of York's Green Belt

- 2.3 The General Extent of Green Belt for York was established by Yorkshire and Humber Plan and retained under The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2012. We welcome the opportunity for the establishment of detailed Green Belt boundaries for the first time and consider that this issue goes to the heart of a sound plan for the city. Under 'saved' Policy YH9 of the Yorkshire and Humber Plan the council must *"establish long term development limits that safeguard the special character and setting of the historic city"*. However, in establishing the inner, outer and allocation site inset Green Belt boundaries, the council must also bear in mind the need to allocate sufficient for development and identify areas of 'safeguarded land' for potential development beyond 2033, i.e. "stretching well beyond the plan period" (NPPF paragraph 85).
- 2.4 As a result of the historic restraining effect of the General Extent of Green Belt on new housing development and as well documented, there is significant pent-up housing demand across the city. Land for housing within the built-part of York is at a premium and the Publication Draft Plan already takes into account key strategic regeneration sites and their capacity to deliver new housing. Employment land within the city has also been lost to new housing development as a result of high residential land values and needs to be replaced.
- 2.5 Despite this, the Green Belt boundaries proposed within the plan have clearly been drawn up with maximum development restraint in mind. Given the proposed boundaries are in no small part based upon a highly flawed approach under Policy SS1 noted above, it stands to reason that Policy SS2 as written cannot be considered sound as it is not effective and justified.
- 2.6 In view of NPPF advice at paragraph 85 it is also considered necessary to formally identify safeguarded land to meet longer-term development needs stretching well beyond the plan period and to ensure the Council is satisfied that the Green Belt boundaries will not need to be altered at the end of the development plan period.

2.7 In summary, the proposed inner, outer and inset allocation site Green Belt boundaries should be reviewed and relaxed as appropriate to enable additional development land to be allocated to meet a significantly increased OAN and the potential need for more employment land. Safeguarded land should also be allocated for development needs well beyond 2038. We therefore suggest that to render Policy SS2 sound it should be modified as follows:

*To ensure that there is a degree of permanence beyond the plan period sufficient land is allocated for development to meet the needs identified in the plan and for a further minimum period of five years to 2038, with additional land released from the **General Extent of Green Belt to be safeguarded for development beyond the plan period.** (CJ amendments in bold).*

2.8 We make further representations covering the methodology followed to define the Green Belt boundaries and the proposed inclusion of part of our client's land below.

3.0 GREEN BELT

Policy Background

3.1 The City of York Green Belt remains in existence as a result of The Regional Strategy for Yorkshire and Humber (Partial Revocation) Order 2012. This confirmed that:

The Regional Strategy for Yorkshire and Humber is revoked except for—

(a) the policies of the RSS set out in the Schedule to this Order (“the RSS York Green Belt policies”); and

(b) the Key Diagram of the RSS insofar as it illustrates the RSS York Green Belt policies and the general extent of the Green Belt around the City of York.

3.2 Under (a), Policies YH9(C) and Yorkshire(C) were retained as follows:

POLICY YH9: Green belts

C *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.*

POLICY Y1: York sub area policy

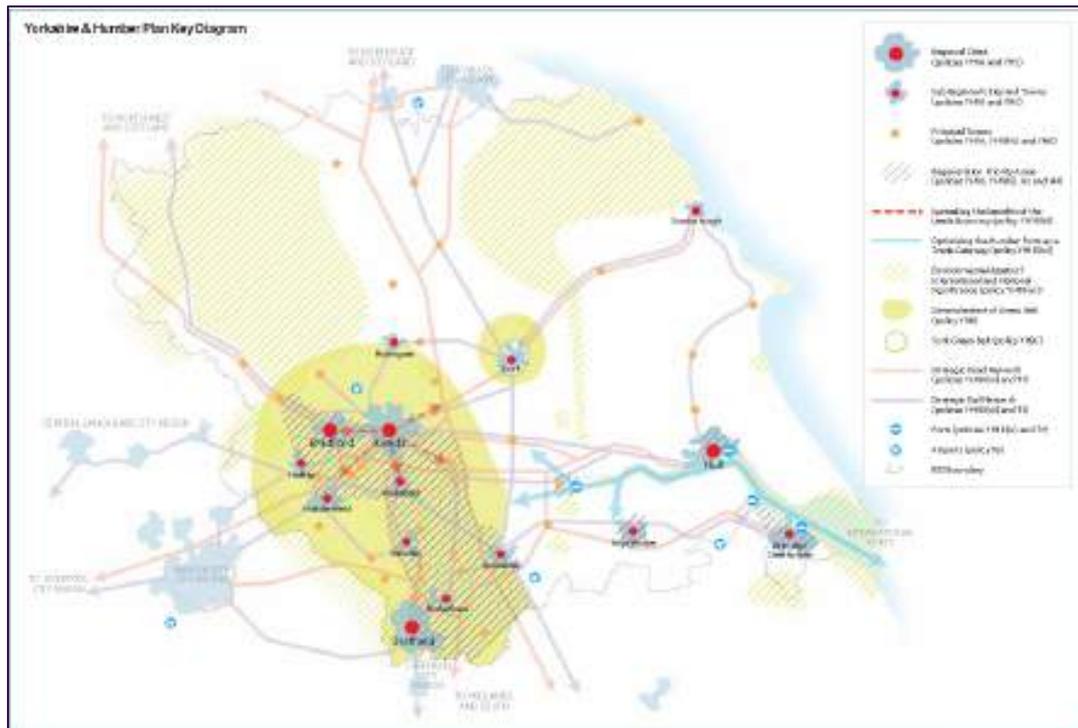
Plans, strategies, investment decisions and programmes for the York sub area should:

C *Environment*

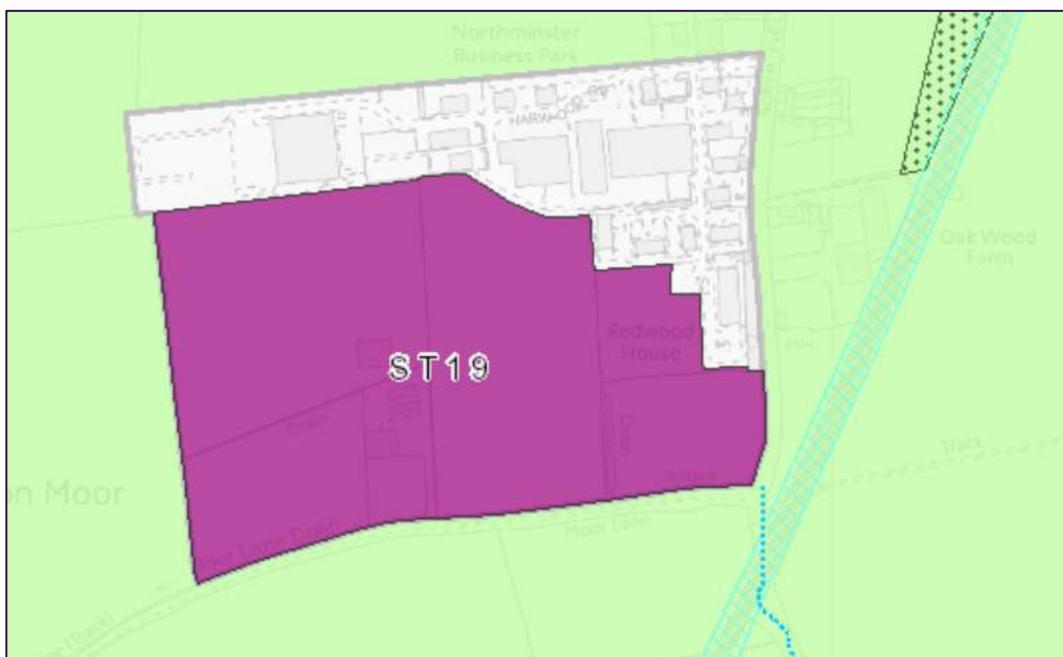
1. In the City of York LDF, define the detailed boundaries of the outstanding sections of the outer boundary of the York Green Belt about 6 miles from York city centre and the inner boundary in line with policy YH9C.

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.

3.3 Under (b) the following Key Diagram is retained but only to indicate the general extent of the York Green Belt:



3.4 The detailed Proposals Map shows the proposed Green Belt boundary for the Oakwood Business Park as follows:



3.5 The Green Belt background papers and evidence base are closely linked to the assessment of historic character and setting, with the following key documents:

- The Approach to the Green Belt Appraisal – February 2003

- Historic Character and Setting – January 2011
- Historic Character and Setting: Technical Paper Update – June 2013

3.6 These variously consider the open land around the city and classify different elements as having importance as one of the following:

- Village Setting
- Rural Setting
- Strays
- Green Wedge
- River Corridors
- Extension of the Green Wedge
- Areas Preventing Coalescence

3.7 None of our client's land at Sites 1 and 2, either side of Northfield Lane falls within any of these character areas deemed as "the most valuable in Green Belt terms" (The Approach to the Green Belt Appraisal – February 2003).

Green Belt Assessment of Site 1 on behalf of Oakwood Business Park

3.8 Site 1 is developed land adjacent to Northminster Business Park on the western side and the busy A1237 Ring Road to the immediate east. The site in itself is urban in character. The northern part of Site 1 contains the former Oakwood Farmhouse and Oakwood Business Park itself, comprising 5 large, portal frame units. The southern part of Site 1 forms a wedge shape and the land is wholly taken up with caravan storage.



- 3.9 The unbroken screening hedge to both Northfield Lane and the Ring Road screens out views of both business park and caravan storage. The hedges are landscapes feature in their own right.
- 3.10 We are concerned that the proposed detailed Green Belt boundaries are based upon evidence that is out-of-date, going back as far as 15 years and preceding not only the 2018 draft new NPPF but the current 2012 NPPF and even former PPG2 as well. We are also concerned that the proposed inclusion of Site 1 is an oversight, with our previous representations not having been considered as part of the green belt review.
- 3.11 Taking the fundamental NPPF aim of Green Belts into account we consider Site 1 is not “permanently open” and makes no contribution to preventing urban sprawl into the wider countryside. If confirmed as designated Green Belt, the site would make no contribution toward openness. Turning to the five purposes of Green Belt at NPPF paragraph 133 (a-e) we consider that the site performs as follows:
- a) As noted above, we consider the site and its wider context to be built-up in character in any event. As developed land, designating the site as Green Belt would have no benefit to keeping urban sprawl in check.
 - b) The site plays no role in preventing the coalescence of neighbouring towns.
 - c) Similarly, being already urban in character, it plays no role in safeguarding the countryside against encroachment.
 - d) The site in itself does not preserve the historic core of York. Further development could take place without harm to the setting and special character of York. Green Belt status is not needed to safeguard this aspect.
 - e) The buildings and curtilage are urban in character. Designation as Green Belt would in effect discourage making best use of under-utilised land.
- 3.12 Furthermore, the council has failed to demonstrate the necessity for the site to be within the Green Belt as required by NPPF 82. It has not shown why “normal planning and development management policies would not be adequate”.
- 3.13 Given the short supply of development land, the proposed designation of the site as Green Belt is contrary to paragraph 84 of the NPPF.
- 3.14 In proposing to designate the site as part of the Green Belt the council is in conflict with paragraph 85 of the NPPF as it will be contrary to the required allocation of sufficient land for sustainable development and it is not necessary to keep the site permanently open. The lack of sufficient proposed safeguarded land as noted above is also contrary to paragraph 83.

3.15 In summary, we maintain that Site 1 would meet none of the NPPF purposes of Green Belt land. The land does not have the characteristics of openness normally associated with Green Belt, having significant built form and character, set within well-screened boundaries.

4.0 CONCLUSION

4.1 These representations set out fundamental flaws in the Publication Draft Plan and explain why it is unsound. In particular, it fails to meet the NPPF paragraph 157 requirement to:

...plan positively for the development and infrastructure required in the area to meet the objectives, principles and policies of this Framework...

4.2 The most significant concerns are the proposed unacceptably low annual housing provision, tightly drawn Green Belt boundaries and insufficiency of housing land allocation would combine to hold back growth to unreasonably low levels.

4.3 To summarise in more detail:

- The Vision and Outcomes are not justified or effective as they are not backed by positive policies to meet the need for development land.
- The removal of SS23 from the General Extend of Green Belt is justified and supported.
- However, in other parts of the city the proposed Green Belt is unsound as the proposed boundaries are too tightly drawn and would unreasonably restrict development opportunities for the necessary growth of York.
- SS23 should be extended to include Site 1 to the east of Northfield Lane.
- Site 1 in itself serves none of the five purposes of Green Belt as set out at paragraph 80 of the National Planning Policy Framework (NPPF).
- Development could be undertaken in a manner which would have no effect on heritage assets and/or the special character of the City of York.
- As a result of these matters Site 1 should not be designated as Green Belt and parts of the land could be developed for employment uses alongside SS22.

4.4 We respectfully maintain that Site 1 should be released from the General Extent of Green Belt to be allocated for employment land and Site 2 be allocated for employment purposes under Policy SS23 for the extensive reasons noted within these representations.

Planning North
9 Bond Court
Leeds LS1 2JZ

T: 0113 242 5159

Your ref:

Our ref: SG/J0010319

Date: 27 October 2017

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

By email - localplan@york.gov.uk

Dear Sir/Madam

Pre-Publication Draft Local Plan – Consultation Response

Introduction

We act on behalf of Mr D Lancaster in response to the current consultation on the emerging City of York Local Plan (“the Plan”) and associated background information. We welcome the progress made by the Council in bringing the Plan forward in the light of the updated evidence base but have a number of concerns. Above all, we support the council’s intention set out within A Prosperous City for All - “where local businesses can thrive and residents have good quality jobs, housing and opportunities.”

Consultation Response

Our comments are set out below with sub-headings cross-referenced to policies or paragraphs of the Pre-Publication Draft (PPD).

Policy SS1

There is a clear and pressing need to deliver more development across the city and an adopted local plan to help guide this is long overdue. The requirement is both to serve latent and emerging demand for homes and to encourage economic growth and diversification of the economy by broadening the supply and availability of employment land and premises. Previous draft plans have failed to allocate sufficient housing land and the current attempt follows a similar path.

SS1 – Employment

York has the opportunity to build upon an already diverse economy and positively encourage new employers by having a good range of deliverable new employment sites, bring in new businesses and enable existing ones to grow, supporting economic vitality and new jobs. As with housing (please see below) we consider the Plan’s key message to be one of restraint rather than growth.

In this we agree with York Civic Trust:

York can blaze a trail in the UK for a new approach to growth, demonstrating that a great heritage can be the trigger for economic vitality, not a brake upon it. York’s economic strength lies in its diversity: biosciences (research, agri-business and food

technology), financial services, IT and the media, transport management and engineering, higher education and, crucially, cultural and heritage tourism.

Overall, we consider there to be a need to deliver more land for employment rather than less to help deliver the city's aspirations for a shift towards a higher value economy. We note in recent years there has been significant loss of employment land to housing through the use of office-residential permitted development rights and the subsequent knock-on effect on other adjoining employment sites. There have also been significant delays in delivery of new employment floorspace at the city's key regeneration sites.

SS1 – Housing

The housing market in York has become overheated through a lack of new development, a situation that has persisted for many years. The combination of a green belt drawn tightly around the main built part of York and lack of an adopted development plan and associated housing site allocations, along with other factors, have greatly restricted new housing opportunities. The overheated housing market and the associated house price inflation are uncharacteristic for the region and unrepresentative of trends across Yorkshire and the Humber.

The GL Hearn Strategic Housing Market Assessment Addendum 2017 (the SHMAA) recognises these factors in arriving at a baseline Objectively Assessed Need (OAN) for housing of 867 dwellings per annum (dpa).

This increases the demographic starting point from 783... to 867 per annum. Guidance (NPPG) indicates that the official projections should be seen as a baseline only.

After inclusion of market signals and affordable housing demand uplifts the OAN indicated by GL Hearn rises to 953 per annum. The SHMAA states:

The GL Hearn report also recommends that based on their assessment of market signals evidence and some recent Inspectors decisions that York should include a 10% market signals adjustment to the 867 figure. This would increase the housing figure to 953 per annum. The market adjustment is based on an assessment of both market signals and affordable housing need. GL Hearn has considered a single adjustment to address both of these issues as they are intrinsically linked.

However, when the PPD was considered by the Local Plan Working Group on 10 July 2017 it was resolved to accept the OAN baseline figure only. As noted in the meeting minutes the 10% adjustment was rejected: -

...on the basis that Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations.

No evidence was presented by speakers or Committee Members to justify this outcome or to counter the evidence set out within the SHMAA, a document prepared by the Council's appointed consultants *in order to provide the necessary evidence to underpin the housing strategy of the new local plan.*

Since then, the Government has published the Planning for the Right Homes in the Right Places consultation paper. This includes a proposed new methodology for assessing housing need. Whilst this is yet to be adopted as national policy we consider it to be a material consideration in respect of a number of local planning authorities and the approach to assessment of housing need, including York.

Unlike most of the rest of Northern England, the indicative figure for York rises significantly, to a total of 1,070 dpa.

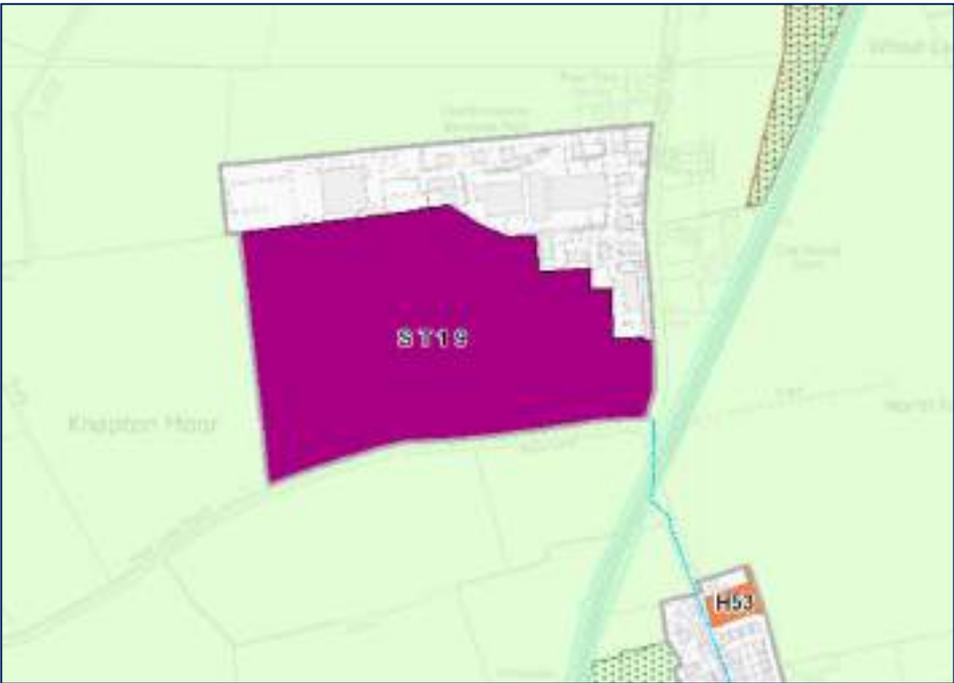
As a result of the above we consider that setting an OAN of 867 dpa will fail to address the acknowledged and acute housing needs of the city. In any event, we consider that the Council should be seeking to over-allocate land to provide a robust supply, adding flexibility and to take into account potential under-delivery of sites, lower site yields, and non-delivery. This is particularly necessary given the lack of any proposed safeguarded land allocations plus the proposed establishment of green belt boundaries to 2038. An accepted position in recent Examinations and the adoption of Local Plans is an additional supply of around 20% above the OAN.

As drafted, the Plan would fail not only to plan positively for growth but also to significantly boost housing land supply. The aim of Policy SS1 to address housing need will not be met by the proposed unreasonably low OAN figure of 867 dpa.

We consider the figure of 1,070 dpa represents a minimum baseline figure. Taking into account persistent historic under-delivery, market signals and high demand for affordable housing, an economic growth factor and the requirements to build in flexibility and to plan positively for growth the 10% uplift suggested by GL Hearn at paragraph 3.28 of the SHMAA is too low. In the interests of planning positively for the future of the city we consider that a 25% uplift should be applied to cover affordable housing demand, economic growth and flexibility. As a result the plan should seek to accommodate at minimum of 1,177 dpa and up to 1,440 dpa.

Policy SS23: Land at Northminster Business Park

We support the designation of land to the immediate south of Northminster Business Park as Strategic Employment land.



In view of the need to identify additional employment land our client’s land to the immediate east of North Field Lane as shown on the enclosed location plan is an obvious choice. As with the characteristics for ST19 set out at paragraph 3.98 of the Plan, the land is well contained, with the Northminster Business Park to the west and the Ring Road to the east beyond a tall, dense hedgerow.

The northern part of the land is already developed, being the location of Oakwood Business Park. Development would have no significant effect on the openness of the surrounding green belt or cause harm to the purposes of green belt land as set out in the National Planning Policy Framework. The Ring Road is clearly a strong and

defensible boundary. Furthermore, there would be no ecological impacts and the inclusion of this land for development would not harm the proposed Site of Local Interest to Nature Conservation to the north.

Aside from facilitating the extension of Northminster Business Park the additional land would potentially facilitate a direct access onto the A1237 Ring Road. This will be explored on behalf of our client as the Plan progresses.

Policy EC2: Loss of Employment Land

Draft Policy EC2 is worded as follows:

When considering proposals which involve the loss of land and/or buildings which are either identified, currently used or were last used for employment uses, the council will expect developers to provide a statement to the satisfaction of the Council demonstrating that:

- i. *the existing land and or buildings are demonstrably not viable in terms of market attractiveness, business operations, condition and/or compatibility with adjacent uses; and*
- ii. *the proposal would not lead to the loss of a deliverable employment site that that is necessary to meet employment needs during the plan period.*

Whilst Policy EC2 is not opposed by our clients we consider it should be amended. The word “and” between the two numbered requirements of should be replaced by “or”. In effect, the policy covers both existing employment land and buildings and land identified as employment land (i.e. allocated sites). Criterion (i) should apply only to the former and criterion (ii) only to the latter.

In any event the evidence requirement should be proportionate to the amount of employment land in question. This should be made clear in the supporting text for Policy EC2.

Section 5: Housing

Given the need to establish a realistic OAN significantly higher than 867 dpa it stands to reason that allocation of just the draft housing sites at Table 5.1 will result in a delivery shortfall. More new housing sites will be required. To that end our client’s land at North Field Lane may also be considered as a new housing allocation. Indeed, should it prove helpful and necessary to prioritise housing land, the whole of ST19 plus the additional land to the immediate east may alternatively be considered for housing allocation.

Policy H2: Density of Residential Development

We consider interpretation of this policy should include a degree of flexibility as illustrated by the proposals noted above. The indicative scheme represents a density of 58 dwellings per hectare. We support the inclusion of flexibility for higher density development than the indicative figures in accessible and well-connected location such as the site in question.

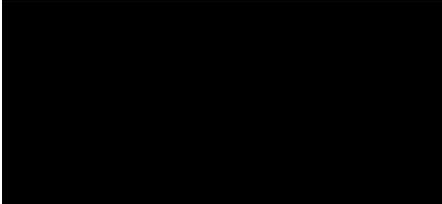
Policy H10: Affordable Housing and Paragraph 5.72 – Vacant Building Credit

We support the inclusion of direct reference to the vacant building credit (VBC). Clarification of the reference to viability assessment in paragraph 5.72 is necessary. The associated national policy as set out in Planning Practice Guidance confirms that specific proposals need not be supported by a viability assessment to benefit from VBC.

Conclusion

We trust the above will be taken into consideration as the plan moves forward to adoption. We will be happy to discuss further information to support the proposed allocated of the site in the next draft of the Plan.

Yours sincerely

**Simon Grundy MRTPI**

Partner

E: simon.grundy@carterjonas.co.uk

T: 0113 203 1095

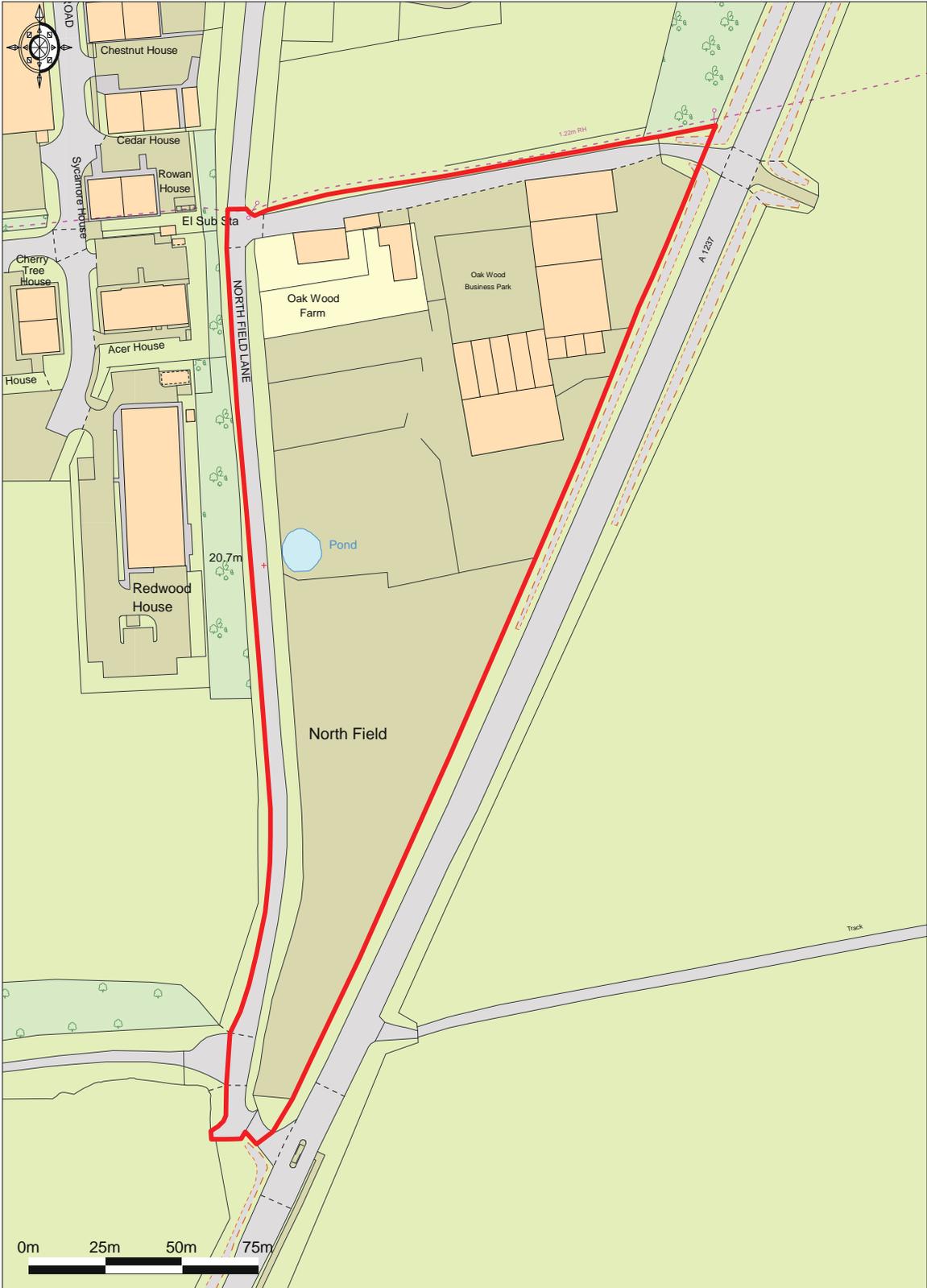
M: 07917 773671

cc: Mr D Lancaster
Mr J Brear – Carter Jonas

enc: red line location plan

Land at North Field Lane

Location Plan



From: Adam Jackson [adam.jackson@lichfields.uk]
Sent: 04 April 2018 17:19
To: localplan@york.gov.uk
Cc: Christopher Darley; 'Luke Axe'
Subject: PDLP Consultation Response on behalf of KeyLand [NLP-DMS.FID458345]
Attachments: 50788 PDLP Consultation Response KeyLand Acomb 04-04-18.PDF; 50788 PDLP Response form Acomb Landing 04-04-18.PDF

Good Afternoon,

On behalf of our client, KeyLand Developments Ltd, please find attached a completed Publication Draft Local Plan response form and associated representation letter in relation to KeyLand's Acomb Landing site.

Please feel free to contact me if you would like any further information regarding this site.

Regards

Adam Jackson
Senior Planner

Lichfields, 3rd Floor, 15 St Paul's Street, Leeds LS1 2JG
 T 0113 397 1397 / M 07341773569 / E adam.jackson@lichfields.uk

lichfields.uk  



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 Think of the environment. Please avoid printing this email unnecessarily.

City of York Council
West Offices
Station Rise
York
YO1 6GA

Date: 4 April 2018
Our ref: 50788/JG/AJk/15666887v2
Your ref:

Dear Sir / Madam

York Local Plan Publication Draft Consultation - Representation on behalf of KeyLand Developments Ltd: Acomb Landing, Landing Lane, York

On behalf of our client, KeyLand Developments Ltd (KeyLand), Lichfields is pleased to submit representations to the consultation on the City of York Publication Draft Local Plan (PDLP). This representation is submitted in the context of KeyLand's site at Acomb Landing, Landing Lane.

KeyLand is the property trading business of the Kelda Group and a sister company of Yorkshire Water. It has control of the redundant Yorkshire Water site at Acomb Landing and is keen to develop the site for residential use in the short term. To that end, it is envisaged that KeyLand will enter into pre-application discussions with the Council in the coming months, with a view to developing the site at the earliest opportunity.

We previously submitted a representation on behalf of KeyLand in relation to this site to the pre-publication draft consultation in October 2017. This representation focusses on the issues of soundness, and is supplemented by a note on flood risk issues at the site which has been produced by Enzygo.

The Site

The site is a redundant Yorkshire Water facility located off Landing Lane to the north of Water End in the Acomb area of York, approximately 2km north-west of York City Centre. A more detailed description of the site was provided in our representation to the pre-publication draft consultation in October 2017, and a Site Plan is included at **Annex 1**.

The PDLP Proposals Map shows that the site is to be 'white land' in the emerging Plan (i.e. not subject to any specific land use allocations or designations).

The site's proximity to the River Ouse means that parts of the site fall within Flood Zone 2, and, at the eastern boundary, Flood Zone 3, however the majority of the site is classified as Flood Zone 1. These issues are discussed in further detail below.

Objectively Assessed Housing Need and Local Plan Housing Requirement

The PDLP maintains the minimum annual housing requirement of 867 dwellings which was set in the pre-publication draft plan. As we set out in our previous representations on behalf of KeyLand in October 2017, this housing requirement is considered to be **unsound**.

The housing requirement is derived from a Strategic Housing Market Assessment (SHMA) undertaken by GL Hearn in 2016 and updated in 2017 to take account of the July 2016 household projections, which found that 867 dwellings per annum is the relevant baseline demographic figure for the 15 year period of the plan. The 2017 SHMA update also recommended that, based on an assessment of market signals evidence, a 10% market signals adjustment to the 867 figure should be applied, increasing the housing figure to 953 per annum. However, a cover sheet to GL Hearn's Update, entitled 'Introduction and Context to objective Assessment of Housing Need' was inserted at the front of the SHMA by the Council, and this explains that Members of the Council's Executive board rejected the 953 figure, stating:

"...Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations."

It is therefore clear, from the Council's own admission, that the Plan is not positively prepared as it will not meet the objectively assessed housing needs for the housing market area in full. Furthermore, analysis undertaken by Lichfields on behalf of a consortium of housebuilders (see separate representations) has found that there are a number of significant deficiencies in the SHMA Assessment Update which means that the 953 dpa OAHN figure identified in the Assessment Update is not soundly based.

For these reasons, we consider that the PDLP needs to be planning for a significantly higher housing requirement than currently proposed, and additional housing sites and suitable housing land will need to be identified to meet this need.

Standardised Housing Requirement Methodology

The standardised methodology for calculating housing requirements was the subject of a consultation ('*Planning for the right homes in the right places*') in September 2017, and it has now been inserted into the draft revised NPPF. Applying the standardised methodology in York results in a minimum requirement of 1,070 dwellings per annum – higher than the minimum requirement in the PDLP and higher than the OAHN identified in the SHMA. This means that the over the plan period the PDLP will provide **3,248 homes less** than the minimum requirement calculated using the government's standardised methodology. It should also be noted that the 1,070 figure is the requirement before any upward revisions are then applied to account for other factors, such as economic growth aspirations.

It is interesting to note that York is one of the very few local authorities in the Yorkshire and Humber region, and indeed the north of England in general, where the application of the standardised methodology results in a significantly higher housing requirement than is shown in the current local assessment of housing need. This is symptomatic of the oppressed housing delivery in York and absence of an adopted Development Plan.

Inherited Shortfall (2012 - 2017)

Table 5.2 of the PDLP shows that there has been a shortfall in housing delivery over the period of 2012 – 2017 of 896 dwellings, and that this is proposed to be recuperated over the remainder of the plan period through an addition of 56 dwellings to the 867 OAHN figure, resulting in an annual requirement of 923 dwellings.

This approach to dealing with the housing supply shortfall is considered to be incorrect and unsound. Instead, it is advocated that the shortfall be dealt with within the first five years of the plan period as stated in the Draft Planning Practice Guidance (page 13). To ensure this shortfall is dealt with, additional smaller housing sites may need to be identified in the Plan which are able to deliver homes quickly at the start of the plan period.

Housing Supply

As was proposed in the previous pre-publication draft, the PDLP proposes to meet the housing requirement through the allocation of 16 'strategic sites' (strategic being defined as sites over 5 hectares) and 20¹ smaller (less than 5 hectares) housing allocations.

An estimated phasing strategy for each of the proposed allocations is provided in the final column of Table 5.1 of the draft Plan, albeit the phasing shown is very high level and does not provide any detail beyond a 5 year time frame. It is therefore impossible to comment on whether the proposed phasing and delivery rates of the draft allocations is reasonable, and it is considered that this lack of evidence is in itself unjustified and that no certainty has been provided that the PDLP can provide and maintain a five year supply of deliverable housing sites, as required by paragraph 47 of the National Planning Policy Framework (NPPF).

The PDLP continues to be over-reliant on the delivery of large strategic sites to provide the vast majority of the city's housing requirement. These sites are likely to have complex masterplanning and delivery issues which will affect their lead-in times, and push their delivery into the latter part of the plan period and beyond. Our representations to the pre-publication draft consultation were supplemented by research undertaken by Lichfields which shows that the average planning approval period (i.e. the amount of time taken from first outline application validation to delivery of first dwelling) for sites of over 500 dwellings is more than 5 years. The PDLP contains 10 strategic sites which have an indicative yield of over 500 dwellings, and our research suggests that these sites are not likely to deliver until later into the plan period. This further emphasises the need for additional smaller and medium sized sites to be allocated in the Plan, which are capable of being developed within the first five years of the plan period.

Residential Development at Acomb Landing Site

Acknowledging the need for additional housing sites to meet housing needs in York, and the benefits of allocating additional smaller and medium sized sites, it is considered that the Acomb Landing site is an appropriate development site which would add certainty to the housing supply within the first five years of the plan period.

The PDLP is proposing to allocate a number of new isolated settlements within the existing Green Belt, as well as urban extensions into Green Belt land. Whilst the need for Green Belt release in appropriate locations in order to meet the housing requirement is not disputed, this should only be done following a review of all other non-Green Belt options, as indicated in the Government's Housing White Paper, which at paragraph 1.39 states:

*'authorities should amend Green Belt boundaries only when they can demonstrate that they have examined fully all other reasonable options for meeting their identified development requirements, including making effective use of suitable brownfield sites'*²

¹ There is also an additional site (H6) which is proposed to be allocated for specialist housing (Use Class C3b) for residential extra care facilities in association with the Wilberforce Trust

² Fixing our Broken Housing Market, DCLG, 2017

The Acomb Landing site is brownfield and is located within the main urban area, in close proximity to local services and public transport links. It is therefore a sustainably located development option which could deliver much needed new homes in suburban York, in accordance with the guidance set out within the Housing White Paper.

Design feasibility has indicated that the site is likely to be able to accommodate around 150 dwellings over 4 – 5 blocks (including the retention of some existing buildings where possible) based on an apartment style development. This is illustrated in the Design Feasibility brochure at **Annex 2**. It is expected that the site could be fully developed within the first 5 years of the plan period.

Flood Risk

Environment Agency Flood Mapping shows that the north-eastern extent of the site is located within Flood Zone 3, the southern and western extent of the site is largely in Flood Zone 2, and areas within the central and western area of the site fall within Flood Zone 1. A Flood Risk Technical Note for the site has been prepared and is included at **Annex 3** of these representations. The development options shown at Annex 2 of this representation demonstrate that residential development can be provided on land which currently falls within Flood Zone 2.

The Flood Risk Technical Note at Annex 3 outlines two different flood risk solution options. Option 1 is primarily focused upon land raising and landscaping at the site so that development can be located in land classified as Flood Zone 3a (following the successful completion of an exception and sequential test), and relocation of the primary access to the western junction of Landings Lane and Water End. Option 1 would represent relatively short timescales, likely in the region of 12 months.

Option 2 focuses upon reducing flood risk to the development site through increasing the standard of protection of flood defences in an obvious area of protection deficiency. Option 2 would remove areas of Flood Zone 3b, and so enable development of the site in compliance with national policy and guidance, whilst also potentially providing flood risk benefits to third parties.

KeyLand proposes to discuss these options with the Council in further detail during pre-application discussions. It is considered that the technical work which has been undertaken to date and is discussed in Annex 3 is clear that there are options available which would enable residential development to be safely delivered at this sustainable site.

Summary

It is clear that the PDLP will not meet the OAHN for York, as it is drafted to meet only a proportion of the housing needs identified in the SHMA, and less than the housing requirement for the authority area based on the government's standardised methodology for assessing housing needs. For this reason, it is considered that the PDLP is **unsound** on the basis that it is neither positively prepared in compliance with national policy. The proposed approach to recuperate the past record of under-delivery of housing is also considered to be flawed, and we would advocate that the Plan adopts the 'Sedgefield' method and deal with the shortfall within the first 5 years of the plan period, as recommended in the draft Planning Practice Guidance.

We consider that there is a lack of evidence and clarity regarding the phasing and delivery of the proposed allocations, and this, coupled with the insufficient amount of housing land identified and current backlog, leads to the conclusion that additional small and medium sized housing sites will be required in the adopted Plan. This conclusion is in concurrence with the draft revised NPPF, which is aiming to encourage greater diversity and flexibility in housing delivery.

The site at Acomb Landing capable of delivering around 150 dwellings in an apartment style scheme. It is a sustainably located brownfield site, and its allocation for housing would relieve pressure on the Green Belt in accordance with the recommendations in the Housing White Paper. Technical flood risk work undertaken to date has established two options for alleviating flood risk at the site, and these are to be explored in further detail with officers at the Council during pre-application discussions. Both options will enable residential development to be safely delivered at the site, and Option 2 has the potential to deliver much wider flood protection to neighbouring occupiers in the local area.

The site is available now, and KeyLand expect to enter into pre-application discussions with the Council in the coming months, with a view to developing the site at the earliest opportunity.

Yours faithfully

A black rectangular redaction box covering the signature of Adam Jackson.

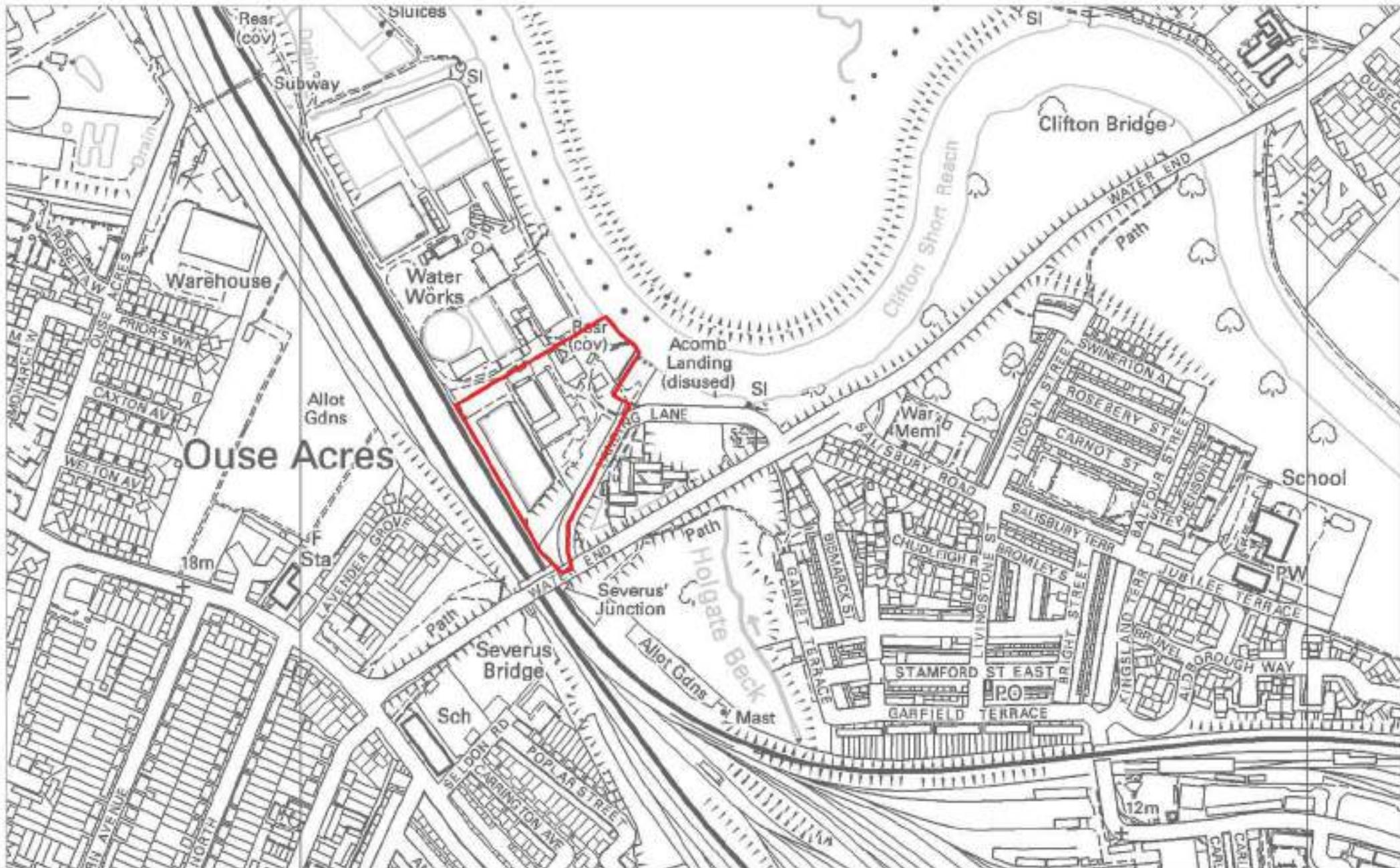
Adam Jackson
Senior Planner

Copy

Luke Axe, KeyLand Developments Ltd



Annex 1: Site Plan



Date Requested : 28/08/2012, 15:48:22

Date Generated : 29/08/2012, 15:48:25

Scale : 1:5000

The position and depth of any FFI apparatus shown on this map are approximate only.

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UPN: Undefined

Originator: M NAYLOR, LAND AND PLANNING, T5 2516



Annex 2: Design Feasibility Brochure



Acomb Landings, York
Feasibility Study

Prepared on behalf of KeyLand Developments
27th October 2017

Acomb Landings, York

Feasibility Study

October 2017



Aerial Photo

View from South looking North



Acomb Landings, York

Feasibility Study

October 2017



Aerial Photo

View from North looking South



Site Area & Existing Buildings Retained / Demolished Buildings

Site Area A

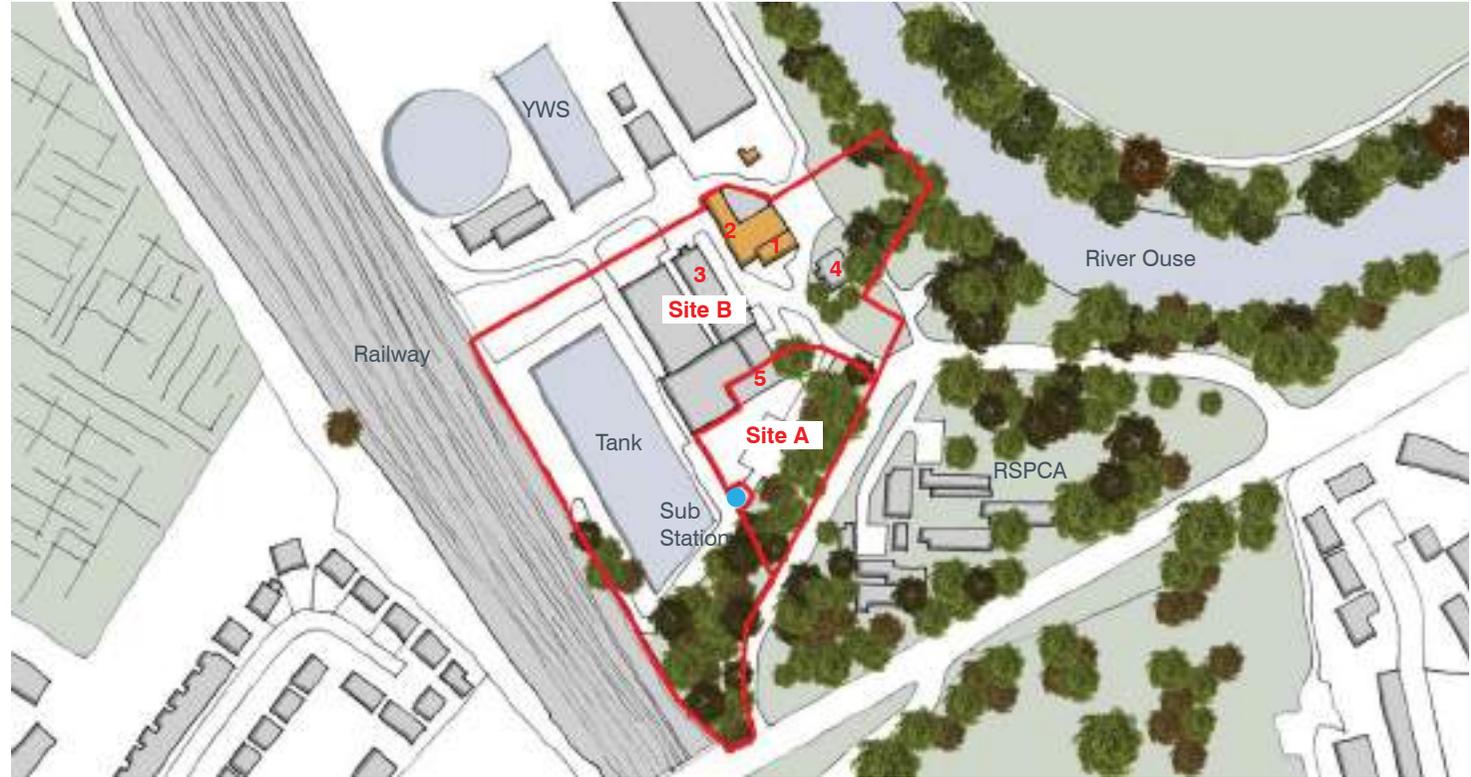
3,240 sqm
34,875 sqft
0.80 Acres
0.324 Hectares

Site Area B

16,720 sqm
179,973 sqft
4.13 Acres
1.672 Hectares

Total (A + B)

19,960 sqm
214,853 sqft
4.93 Acres
1.996 Hectares



Individual House Option Schedule of Accommodation

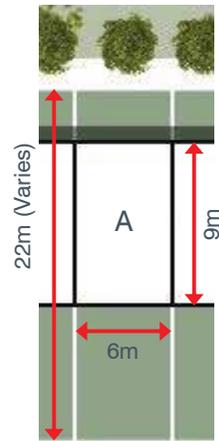


Concept Diagram

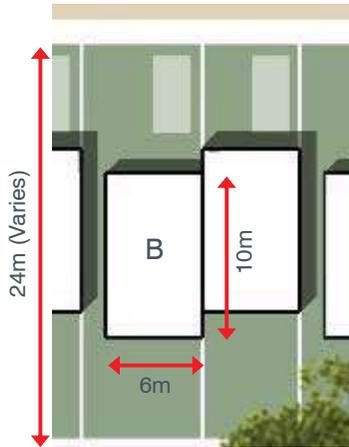
Typical Plot Dimensions

- 19 no. Type A Houses
- 16 no. Type B Houses
- 10 no. Type C Houses

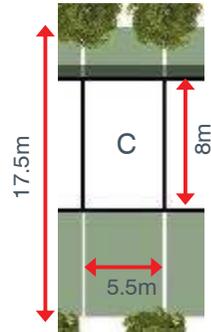
45 Houses Total



Type A
3 Storey
4 Bed House



Type B
3 Storey
5 Bed House



Type C
2 Storey
3 Bed House



..... Development Zone
11900 sqm
128,090 sqft
2.94 acre
1.19 Hectares



Acomb Landings, York

Feasibility Study

October 2017



Individual House Option

Aerial Montage



Apartment Option

Schedule of Accommodation

Block A - Ground + 3

5 No. 2 Beds per floor
3 No. 1 Beds per floor

Total

20 No. 2 Beds
11 No. 1 Beds

Block B - Ground + 3

9 No. 2 Beds per floor
4 No. 1 Beds per floor

Total

36 No. 2 Beds
15 No. 1 Beds

Block C - Ground + 3

5 No. 2 Beds per floor
3 No. 1 Beds per floor

Total

20 No. 2 Beds
11 No. 1 Beds

Block D - Ground + 3

8 No. 2 Beds per floor
4 No. 1 Beds per floor

Total

32 No. 2 Beds
15 No. 1 Beds

Overall Total

108 No. 2 Beds
52 No. 1 Beds

..... Development Zone
11,900 sqm
128,090 sqft
2.94 acre
1.19 Hectares



Acomb Landings, York

Feasibility Study

October 2017



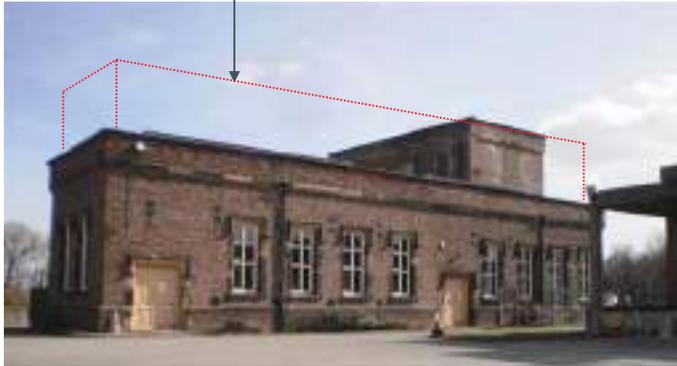
Apartment Option Aerial Montage



Existing Buildings

Feasibility Study

Potential to add additional storey to Building A



Building A



Building B



Subject to further review with Flood Consultant.

Potential to add 3 Storey extension to Building B. Access through existing entrance for flood reasons.

Building A

4 No. 2 storey (Circa 900sqft) Townhouses

Building B

2 No. 2 storey (circa 1500 sqft) Townhouses

Extension

9no. 2 Bed Apartments (3 per floor)



Annex 3: Flood Risk Technical Note

Acomb Landing, York – Flood Risk and Flood Risk Solutions

Project:	SHF.1246.006 – Acomb Landing, York
For:	Keyland Developments Ltd
Status:	FINAL
Date:	April 2018
Author:	Richard Hughes, BSc (Hons), MSc, MCIWEM – Senior Hydrologist
Reviewer:	Scott Dawson, BSc (Hons), MSc, MCIWEM – Senior Hydrologist
Approver:	Dr Paul Hardwick BSC(Hons) PhD FGS – Director of Water Sciences

NON-TECHNICAL SUMMARY

This Technical Note summarises the findings of a Flood Risk Assessment (FRA) scoping assessment (Reference SHF 1246 006 HY R 001 A) and Technical Note (Reference SHF 1246 006 HY R 001 B), in which flood constraints to the development Site, located within the south eastern extent of the Acomb Landing Water Treatment Works (WTW) were identified. This note provides details of fluvial flood risk solutions that may offer a way forward to ensure that the proposed development is compliant with current guidance and policy.

1. INTRODUCTION

1.1 Background

It is proposed to develop an area of the Acomb Landing WTW to residential use. This would result in a change in land use vulnerability from Less Vulnerable to More Vulnerable (residential use).

1.2 Existing Site

The 2ha development Site forms a redundant part of the WTW which is operated by Yorkshire Water. The Site is occupied by an office, control room and pumphouse buildings with associated hardstanding, access roads, tanked reservoirs and a pond. Significant infrastructure in the form of pipework, valves and storage tanks is present both above and most likely below ground.

1.3 Proposed Development

It is proposed to develop the eastern area of the WTW to residential use with the existing site access retained for primary access/egress. Development will be in the form of residential houses and apartments with associated highways, landscaping and open space.

2. EXISTING FLOOD RISK

Environment Agency Online Flood Mapping and Environment Agency Flood Map for Planning shows the north eastern extent of the Site is located within Flood Zone 3; land within the 1 in 100-year (>1% AEP) risk of fluvial (river) flooding, considered to be at ‘high’ risk. The southern

and western extent of the Site is largely in Flood Zone 2; land between the 1 in 100-year (<1% AEP) and 1 in 1000-year (>0.1%AEP) risk of fluvial (river) flooding at ‘medium’ risk. There are also areas of Flood Zone 1; land outside the extent of the 1 in 1000-year (<0.1% AEP) risk of fluvial flooding, within the central and western area of the site; considered ‘low’ risk.

Formal flood defences, under the responsibility of the Environment Agency, are located upstream and downstream of the Site and have a standard of protection better than the 1 in 100-year flood event. Acomb Landing represents a ‘break’ in the defences where the standard of protection is less than a 1 in 20-year flood event. Flood history suggests that Acomb Landing, to which the existing and proposed primary Site access is connected floods regularly, as does the RSPCA dogs home, located the east of the development Site. The break in the defences may also allow flood water to inundate the railway line, located to the south west of the development Site, and impact upon the residential community of Holgate.

Environment Agency modelled flood levels for the River Ouse, show that some areas of the Site, and proposed access are within ‘Flood Zone 3b – functional floodplain’. Based upon NPPG ID: 7, ‘More Vulnerable’ development, including the primary access/egress, is not permitted within Flood Zone 3b. ‘More Vulnerable’ development is permitted within Flood Zone 3a, subject to successful completion of an exception/sequential test and Flood Risk Assessment (FRA).

Through correspondence with the Environment Agency, the modelled flood levels and associated flood outlines originating from the River Ouse, have been derived from detailed hydraulic modelling undertaken in October 2016. The recent completion of the modelling work means outlines and levels are likely to be up-to-date and representative of the fluvial flood risk to the development Site. It is highly unlikely that any further hydraulic modelling would refine or reduce the flood outlines as shown on the statutory Environment Agency Flood Map for planning¹

3. FLOOD RISK SOLUTIONS

Based on the above assessment of fluvial flood risk and proposed development vulnerability, two options enable development of the Site are proposed:

Option 1

Sequential development to ensure all built development is located outside of any area shown as Flood Zones 3a and 3b. However, the location of the proposed access/egress location, which retains the current Site access, would not be compliant with guidance and policy. To overcome this, the access/egress location would be relocated further westwards on Landings Lane, which is within Flood Zone 1 (Low Risk). Safe and dry access would then be available from Landings Lane to Water End. At present, the junction of Landings Lane and Water End has permanent bollards, preventing vehicular access. To allow dry access to the Site, the bollards need removing and vehicular access reinstated. The feasibility of reinstating the Landings Lane and Water End junction would be subject to meeting traffic/highway regulations.

This option would significantly restrict the developable area of the Site. However, ‘more vulnerable’ development within Flood Zone 3a (High Risk) is permitted following the successful completion of an exception and sequential test. Built development could be located within areas of the floodplain shown to be within Flood Zone 3a, through land raising and

¹ <https://flood-map-for-planning.service.gov.uk/>

landscaping to ensure acceptable, depths, velocities and hazard. It must also be shown that the development, and associated land raising, does not increase flood risk to third parties.

Option 1 would provide a solution with relatively short timescales, in the region of 12 months provided the Local Planning Authority (LPA) accept the exception and sequential test reports.

If Option 1 does not result in third party detriment, the option can be passed to the LPA and Environment Agency for consultation. As stated above, the sequential/exception tests would be triggered by Option 1. The requirements for the completion of a sequential test (i.e. the comparison region/criteria) should be discussed with the LPA.

Option 2

The Acomb Landing area is not currently protected by formal flood defences and represents a significant reduction in the standard of protection offered to the development Site, RSPCA dogs home, railway line, and possibly the Holgate community. Option 2 offers a more strategic way forward through increasing the standard of protection of existing defences, enabling 'More Vulnerable' development of the Site, whilst also potentially providing additional flood risk benefits to the wider community.

Option 2 would include constructing above-ground flood defences along Acomb Landing where the current standard of protection is less than the 1 in 20-year flood event. The impact of this can be modelled to determine the required defence crest height, determine the protection that would be offered, as well as any detriment in terms of increased flood risk elsewhere. It is highly likely that benefits would be provided to the RSPCA centre and railway line. However, the benefits to the Holgate community area are harder to quantify due to the presence of further watercourses such as the Holgate Beck. So, an overarching approach to assessment, that includes the Holgate Beck and ordinary watercourse tributaries may be required to ensure that potential defence benefits consider all fluvial sources of flooding.

Increasing the flood defence standard of protection would remove areas of flooding, during the 1 in 20-year event in both the Site, and proposed access, and would likely significantly improve flood risk in excess of the 1 in 20-year event (Flood Zone 3b). Significant benefit would also be afforded to the RSPCA dogs home.

The Environment Agency appetite for defence improvements can be determined through consultation prior to re-running the model or we can re-run the model, with a new defence, prior to dialogue to provide evidence of the benefit provided. Furthermore, the 'Flood Map for Planning' is representative of undefended scenarios. Thus, the existing access would still be within Flood Zone 3b and the development Site within Flood zone 3a, although it would be shown within an Area Benefitting from Defences (ABD). It would be wise to consult with the LLFA and LPA on whether they would accept more vulnerable access behind formal flood defences.

To develop this option, the following key points should be clarified:

- The Environment Agency's future plans and strategy for defence improvements in this area of York.
- Funding and grant in aid for the Acomb Landing and Holgate community area.
- Landowner responsibility and permission for the location of defence improvements;
- Environment Agency and City of York Council appetite for defence improvements to open areas for potential residential development and feed into the local plan.

Option 2 would involve technical work, in the form of hydraulic modelling and assessment, to determine flood risk benefit (and any detriment). It would also require collaborative working/partnership agreements with both the Environment Agency and City of York Council to determine funding, defence responsibility and maintenance; and development planning with regards to planning permission and construction of the uprated defence. It is envisaged that the process would be medium to long term and would exceed 2 years. Despite the protection afforded by uprated defences, the development Site, and access, would still be required to meet exception and sequential tests.

4. SUMMARY

This note summarises the identified fluvial flood risk to the proposed development Site and shows that 'more vulnerable' use would not be compliant with national planning policy. To comply with national policy and guidance on flood risk, a solution is required that will ensure that occupiers of the development remain safe for the development lifetime and that third parties are not detrimentally impacted. Two options are presented that have differing approaches, timescales and benefits. Both are feasible at this stage, but would require further works, including hydraulic modelling, to ensure that any development, does not detrimentally impact upon third parties. The options outlined are:

- Option 1 is primarily focused upon development of the development Site and relocation of the primary access. Option 1 would represent relatively short timescales, likely in the region of 12 months but would not offer any flood risk benefits to third parties.
- Option 2 focuses upon reducing flood risk to the development Site through increasing the standard of protection of flood defences in an obvious area of protection deficiency. Option 2 would remove areas of Flood Zone 3b, and so enable development of the Site in compliance with national policy and guidance, whilst also potentially providing flood risk benefits to third parties.

Both options detailed above should be presented to the LPA as potentially offering a way forward subject to meeting the exception and sequential tests, the details of which would be set by the LPA.

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	c/o Agent	Mr
First Name		Adam
Last Name		Jackson
Organisation (where relevant)	KeyLand Developments Ltd	Lichfields
Representing (if applicable)		KeyLand Developments Ltd
Address – line 1	c/o Agent	3 rd Floor, 15 St Paul's Street
Address – line 2		Leeds
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		LS1 2JG
E-mail Address		adam.jackson@lichfields.uk
Telephone Number		01133971397

Guidance note

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Part B - Your Representation

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



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

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

N/A

What does 'Sound' mean?

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

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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 accompanying representation titled 'York Local Plan Publication Draft Consultation - Representation on behalf of KeyLand Developments Ltd: Acomb Landing, Landing Lane, York' (ref: 50788/JG/AJk/15666887v2)

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

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

Yes, I wish to appear at the examination

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To participate in the debate on housing requirements, the deliverability of proposed allocations, and to elaborate on the credentials of the Acomb Landing site for residential development.

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

Representations must be received by Wednesday 4 April 2018, up until midnight.
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Part C - How we will use your Personal Information

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

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

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

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

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Signature



Date

4th April 2018

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Adam Jackson [adam.jackson@lichfields.uk]
Sent: 04 April 2018 17:20
To: localplan@york.gov.uk
Cc: Christopher Darley; russell.hall@taylorwimpey.com
Subject: PDLP Consultation Response on behalf of Taylor Wimpey - Malton Road [NLP-DMS.FID398698]
Attachments: 50149 04 York PDLP - TW Malton Road 04-04-18.PDF; 50149 04 PDLP Response form TW 04-04-18.PDF

Good Afternoon,

On behalf of our client, Taylor Wimpey UK Ltd, please find attached a completed Publication Draft Local Plan response form and associated representation letter in relation to Taylor Wimpey's Malton Road site.

Please feel free to contact me if you would like any further information regarding this site.

Regards

Adam Jackson
Senior Planner

Lichfields, 3rd Floor, 15 St Paul's Street, Leeds LS1 2JG

T 0113 397 1397 / M 07341773569 / E adam.jackson@lichfields.uk

lichfields.uk  



**Draft revised NPPF:
workable solutions
for meeting housing
need?**

VIEW INSIGHT

Insight focus
 Draft revised National Planning Policy Framework
 Published for weekly the Draft revised National Planning Policy Framework (NPPF) will provide the government approach to land use and development.

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Title	c/o Agent	Mr
First Name		Adam
Last Name		Jackson
Organisation (where relevant)	Taylor Wimpey UK Ltd	Lichfields
Representing (if applicable)		Taylor Wimpey UK Ltd
Address – line 1	c/o Agent	3 rd Floor, 15 St Paul's Street
Address – line 2		Leeds
Address – line 3		
Address – line 4		
Address – line 5		
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Signature



Date

4th April 2018

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

City of York Council
West Offices
Station Rise
York
YO1 6GA

Date: 4 April 2018
Our ref: 50149/04/JG/AJk/15697914v1
Your ref:

Dear Sir/Madam

York Local Plan Publication Draft Consultation - Representation on behalf of Taylor Wimpey UK Limited: Land at Malton Road

On behalf of our client, Taylor Wimpey UK Limited (Taylor Wimpey), Lichfields is pleased to submit representations to the consultation on the City of York Publication Draft Local Plan (PDLP). This representation is submitted in the context of Taylor Wimpey's site at Malton Road.

The site at Malton Road was included in the 2014 York Local Plan Publication Draft as a proposed housing allocation (site reference H50), however a motion was submitted to Full Council in October 2014 which halted work on that version of the Local Plan. The site is no longer included as a housing allocation in the current draft plan. Our client strongly disagrees with the rejection of this site, and, for the reasons set out below, considers that the site represents as suitable, available and achievable housing option which should be allocated as such to assist in meeting the full objectively assessed need for housing. This representation also outlines the reasons why we consider the Local Plan to be unsound, and should be read alongside our 'Technical Report on Housing Issues' (ref: 50642/03/MW/NMi) which has been submitted to this consultation on behalf of a consortium of housebuilders, including Taylor Wimpey.

This representation follows submissions made in November 2011, October 2012 and September 2016 in response to previous call for sites exercises and consultations on the Core Strategy, and then the Local Plan Preferred Sites consultation in relation to the same site. Taylor Wimpey remains committed to the delivery of new homes at this site.

The Site

The site is located approximately 2.5km north-east of York City Centre. It extends to an area of 7.1 hectares and comprises former agricultural land with a number of commercial buildings located near the southern half of the north-eastern boundary. Two field boundaries cross the site in the form of hedgerows, one from east to west and the other from north to south at the south-west corner, effectively dividing the site into three parcels of land.

The site is bound to the:

- North-east by New Lane;

- South-east by Malton Road; and
- North-west and south-west by existing residential development.

A site plan is included at **Annex 1**.

Objectively Assessed Housing Need and Local Plan Housing Requirement

The PDLP maintains the minimum annual housing requirement of 867 dwellings which was set in the pre-publication draft plan. We consider this housing requirement to be **unsound**.

The housing requirement is derived from a Strategic Housing Market Assessment (SHMA) undertaken by GL Hearn in 2016 and updated in 2017 to take account of the July 2016 household projections, which found that 867 dwellings per annum is the relevant baseline demographic figure for the 15 year period of the plan. The 2017 SHMA update also recommended that, based on an assessment of market signals evidence, a 10% market signals adjustment to the 867 figure should be applied, increasing the housing figure to 953 per annum. However, a cover sheet to GL Hearn's Update, entitled 'Introduction and Context to objective Assessment of Housing Need' was inserted at the front of the SHMA by the Council, and this explains that Members of the Council's Executive board rejected the 953 figure, stating:

"...Hearn's conclusions were speculative and arbitrary, rely too heavily on recent short-term unrepresentative trends and attach little or no weight to the special character and setting of York and other environmental considerations."

It is therefore clear, from the Council's own admission, that the Plan is not positively prepared as it will not meet the objectively assessed housing needs for the housing market area in full. Furthermore, analysis undertaken by Lichfields on behalf of a consortium of housebuilders (see our 'Technical Report on Housing Issues' submitted with separate representations) has found that there are a number of significant deficiencies in the SHMA Assessment Update which means that the 953 dpa OAHN figure identified in the Assessment Update is not soundly based. It is Lichfield's view that when market signals are properly taken into consideration a more appropriate figure is **1,150 dwellings per annum**. Applying this figure over the course of the plan period require an additional 4,528 dwellings to be planned for¹.

For these reasons, we consider that the PDLP needs to be planning for a significantly higher housing requirement than currently proposed, and additional housing sites and suitable housing land will need to be identified to meet this need.

Standardised Housing Requirement Methodology

The standardised methodology for calculating housing requirements was the subject of a consultation ('*Planning for the right homes in the right places*') in September 2017, and it has now been inserted into the draft revised NPPF. Applying the proposed standardised methodology in York results in a minimum requirement of **1,070 dwellings per annum** – higher than both the minimum requirement in the PDLP and the OAHN identified in the SHMA and more closely aligned to the figure derived from our own assessment highlighted above. This means that the over the plan period the PDLP will provide **3,248 fewer homes** than the minimum requirement calculated using the government's standardised methodology.

It is interesting to note that York is one of the very few local authorities in the Yorkshire and Humber region, and indeed the north of England in general, where the application of the standardised methodology results in

¹ $1,150 - 867 = 283 * 16 \text{ years} = 4,528$

a significantly higher housing requirement than is shown in the current local assessment of housing need. This is symptomatic of the oppressed housing delivery in York and absence of an adopted Development Plan.

Inherited Shortfall (2012 - 2017)

Table 5.2 of the PDLP shows that there has been a shortfall in housing delivery over the period of 2012 – 2017 of 896 dwellings, and that this is proposed to be recuperated over the remainder of the plan period through an addition of 56 dwellings to the 867 OAHN figure, resulting in an annual requirement of 923 dwellings.

This approach to dealing with the housing supply shortfall is considered to be incorrect and unsound. Instead, it is advocated that the shortfall be dealt with within the first five years of the plan period as stated in the Draft Planning Practice Guidance (page 13). To ensure this shortfall is dealt with, additional smaller housing sites need to be identified in the Plan which are able to deliver homes quickly at the start of the plan period.

Housing Supply

As was proposed in the previous pre-publication draft, the PDLP proposes to meet the housing requirement through the allocation of 16 'strategic sites' (strategic being defined as sites over 5 hectares) and 20² smaller (less than 5 hectares) housing allocations.

An estimated phasing strategy for each of the proposed allocations is provided in the final column of Table 5.1 of the draft Plan, albeit the phasing shown is very high level and does not provide any detail beyond a 5 year time frame. It is therefore impossible to comment on whether the proposed phasing and delivery rates of the draft allocations is reasonable, and it is considered that this lack of evidence is in itself unjustified and that no certainty has been provided that the PDLP can provide and maintain a five year supply of deliverable housing sites, as required by paragraph 47 of the National Planning Policy Framework (NPPF).

Residential Development at the Malton Road site

Acknowledging the need for additional housing sites to meet housing needs in York, the Malton Road site is considered to be a suitable and sustainable site for housing development which could provide up to 150 dwellings if fully developed, alongside strategic open space. The site is on the urban fringe and relates closely to the existing residential areas to the north-west and west, as well as employment and retail uses at Monks Cross, to facilitate a sustainable extension to the existing urban area.

As referred to above, the site was previously deemed to be technically suitable for housing development by the Council, however the documentation released as part of the Preferred Sites consultation in 2016 stated that the Council had withdrawn the site as a proposed allocation based on flood risk constraints and impact on the green wedge at Monk Stray. Taylor Wimpey has commissioned technical work which calls into question the validity of these findings, as discussed below.

Flood Risk

Whilst York's Strategic Flood Risk Assessment (SFRA) indicates that much of the north western part of the site is within Flood Zones 2 and 3, URS has on behalf of Taylor Wimpey created a Digital Terrain Model to more accurately map the flood zones at the site using LiDAR data. This exercise revealed that the extent of

² There is also an additional site (H6) which is proposed to be allocated for specialist housing (Use Class C3b) for residential extra care facilities in association with the Wilberforce Trust

flooding is likely to be significantly less than that shown by the SFRA maps, identifying a much smaller area of the site within Flood Zones 2, 3a and 3b, and a much larger proportion of the site as being within Flood Zone 1 (see **Annex 2**). This information was shared with officers during the previous Preferred Options consultation, and the submitted evidence was accepted as being a more accurate reflection of the flooding and drainage situation at the site. Proposing the site as a suitable housing allocation in the Publication Draft Local Plan, officers stated that:

'The revised Lidar data submitted as part of the Preferred Options consultation has been accepted.'

Furthermore, it is now noted that Environment Agency mapping has now been updated and shows that much less of the site is at risk of flooding than was previously considered to be the case. Whilst this update has not resulted in a change to the full reduction shown by URS at Annex 2, it is further indication that the Council has overplayed the risk of flooding at the site.

As officers have already accepted that the LiDAR data proves that the majority of the site lies within Flood Zone 1, and given that the Environment Agency has now updated its own mapping to show a reduced flood risk area, it is considered that there is no reason to reject the site on flood risk grounds.

Green Wedge

Similar to the consideration of flood risk at the site, officers have previously agreed in the 2014 Publication Draft Local Plan that the northern part of the site (i.e. former proposed allocation H50) is not critical to the openness and setting of York, and offers potential as a development site. At that time officers concluded that:

'... the part of the site to the north which is outside of the HC&S does offer some potential and is not critical to the openness and setting of York. The site is therefore considered potentially suitable for development subject to approval of masterplan and appropriate landscaping scheme. It is considered that the part of the site that falls outside the primary constraints should be allocated for housing.'

The above conclusions reached by officers in 2014 concur with the findings of the Green Belt Appraisal undertaken on behalf of Taylor Wimpey by URS (**Annex 3**), which states that if the northern boundary of the Green Wedge allocation was redefined to exclude Taylor Wimpey's site, it would not impact on views of the Minster visible from the A1036 (Malton Road) on the approach to the City. The Monk Stray designation on the opposite side of Malton Road would still remain to provide separation between the neighbouring suburbs of Huntingdon and Heworth, as at present.

The rejection of the site in the Preferred Sites Consultation, and its absence from the PDLP, is therefore in complete contradiction to the findings of officers in 2014. No developments have occurred in the area since that previous consultation which would change the role of the site in acting as a Green Wedge, and there is therefore no reason why the northern part of the site (i.e. Site H50) should no longer be considered suitable for development on this basis.

Summary

We consider that the PDLP will not meet the objectively assessed housing needs (OAHN) for York, as it is drafted to meet only a proportion of the full housing needs identified in the SHMA, which in itself is considered to represent an underestimate of such requirements based on the analysis undertaken by Lichfields. It is also less than the housing requirement for the authority area based on the government's proposed standardised methodology for assessing housing needs. For this reason, it is considered that the PDLP is **unsound** as it is neither positively prepared or in compliance with national policy. The proposed approach to recuperate the past record of under-delivery of housing is also considered to be flawed, and we

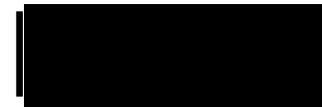
would advocate that the Plan adopts the ‘Sedgefield’ method and deal with the shortfall within the first 5 years of the plan period, as recommended in the draft Planning Practice Guidance.

To make the Plan sound, the housing requirement should reflect the full OAHN, plus any necessary uplifts to account for other factors such as economic growth aspirations. Additional housing sites will need to be identified to meet the OAHN, and we consider the site at Malton Road, which has previously been identified by the Council as a suitable housing allocation, should be allocated in the adopted Plan.

The technical evidence submitted with this representation demonstrates that the site could be developed for housing without risk of detrimental harm to the Green Wedge, and that the previously cited flood risk concerns have been overstated. Indeed, the Environment Agency has since reduced the area of Flood Zone 2 and 3 land within the site, although it is considered that the amount of land at risk of flooding is less still than what is shown on the Environment Agency mapping.

The site remains within the control of Taylor Wimpey, is available now and comprises a viable development opportunity in terms of land value, attractiveness and market demand. The site could therefore come forward at an early stage and could contribute to the Council’s initial five year housing land supply. It is therefore requested, in the context of the need to increase the proposed housing supply to meet objectively assessed needs, that the land at Malton Road be allocated for housing in the adopted Local Plan.

Yours faithfully



Adam Jackson
Senior Planner

Copy Russell Hall, Taylor Wimpey UK Ltd



Annex 1: Site Plan



Key



Site

nlp Nathaniel Lichfield & Partners
Planning, Design, Economics.

Project Malton Road, York

Title Site Location Plan (Plan 1)

Client Taylor Wimpey

Date 01.11.2011

Scale 1 : 7,500 @ A4

Drawn by MAR

Dwg. No GIS50149-001



Based upon Ordnance Survey mapping with the permission of Her Majesty's Stationary Office. © Crown Copyright reserved. Licence number AL500044
GIS Reference: S:\LE50149 - Malton Road, York\LE50149 - Malton Road, York - Site Location - 01.11.2011.mxd



Annex 2: Flood Risk Report



Malton Lane
Technical
Note – Flood
Risk

June 2012

Prepared for:
Taylor Wimpey Ltd

UNITED
KINGDOM &
IRELAND



REVISION SCHEDULE					
Rev	Date	Details	Prepared by	Reviewed by	Approved by
1	6 th June 2012	Draft	Sarah Mason Principal Consultant	Jim MacQueen Principal Consultant	Michael Timmins Associate
2	12 th June 2012	Final	Sarah Mason Principal Consultant	Jim MacQueen Principal Consultant	Michael Timmins Associate

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1. INTRODUCTION

URS Infrastructure & Environment Ltd (URS) was appointed to carry out a high level assessment of potential flooding constraints to the development of residential units at the Malton Lane, York site. In undertaking this task, URS has carried out the following:

- Consultation with the Environment Agency (EA);
- Site Visit;
- Obtained LiDAR topographical data in order to provide indicative outlines of flood zones across the site and compare these with EA data; and
- Obtained sewer plans for the area.

2. FLOOD LEVELS

In order to categorise the flood risk at the site, URS obtained flood level data from the EA for the on-site watercourse, South Beck. Appendix A includes the full response received from the EA, including a map of modelled river nodes and the associated modelled flood levels close to the site.

The modelled flood levels provided by the EA are taken from the 2008 Foss Model Improvements Study, a strategic level model produced primarily for the River Foss. The EA Flood Zones included in Appendix A show that a significant part of site lies within Flood Zone 2 and 3. Comparison with the EA's maps and those produced as part of the Strategic Flood Risk Assessment (SFRA) for York indicate that part of the identified Flood Zone 3 comprises functional flood plain (see Appendix B).

To assess the accuracy of the EA's flood zones and to determine the likely flood levels at the site, flood level information was taken from a point on the South Beck (River Node FOSS08_203). This is a location within the site boundary at the downstream extent of the watercourse (see EA river node map in Appendix A). The node also forms the upstream extent of the River Foss Model.

URS carried out a site visit on the 21st May 2012 which determined that the aforementioned node is appropriate for obtaining flood level information due to the flat nature of the area. URS has since discussed this with the Data and Mapping Team at the EA and they have confirmed that it is suitable for use as the design flood level. The EA have also confirmed that site specific hydraulic modelling of the South Beck is not required for a planning application. Using this data it has been determined that the flood levels between the

identified flood zones range from 12.06m above Ordnance Datum (AOD) to 12.3m AOD (refer to Table 1).

Table 1: Summary of the EA flood levels for node FOSS08_203. It also shows the associated flood zone category.

Flood Zone	Return Period	Flood Level (mAOD)
Flood Zone 2	1000 year return period	12.3
Flood Zone 3a	100 year return period	12.13
Flood Zone 3b Functional Floodplain	Generally the 20 year return period event is the starting point for Functional Floodplain assessment. In this case the 25 year event has been used as this is the data provided by the EA.	12.06
<i>Note: Return Period is the annual probability of flooding in any one year.</i>		

2.1. Flood Zoning

To aid in the assessment of the EA’s current flood zones, URS has obtained LiDAR (Light Detection and Ranging) topographical data from the EA due to the absence of site specific topographical data. Using this URS has created a Digital Terrain Model to map the flood zones based on the river node information acquired.

Figure 1 in Appendix C shows the flood outlines based on the LiDAR data and the EA supplied flood levels for node FOSS08_203. The extent of Flood Zone 3b closely resembles that shown within the SFRA flood maps provided within Appendix B. The figure also demonstrates that the majority of the site lies within Flood Zone 1 and is therefore at low risk of fluvial flooding. Figure 2 (refer to Appendix C) compares the EA flood zones and those derived from the LiDAR data. The LiDAR results show that the areas covered by flood zones 2 and 3 are much reduced. Given the difference between the flood zone extents URS consulted the EA to understand what data were used to formulate their model. The EA was unable to confirm what was used, although it appears that the zones were formulated from the modelling of the River Foss which South Beck feeds into. It is clear that the flood zones produced using the LiDAR data provides a more accurate reflection of the flood zones within the site, however, this will need verifying through site specific topographical survey data.

2.2. Sewer Records and South Beck Catchment

URS purchased sewer records for the area surrounding the site in order to determine the likely catchment for the South Beck. The sewer plans are included in Appendix D and show the connection of two surface water sewers into the South Beck. It also shows the culverted section of the beck which extends under Malton Road and upstream past Bramble Cottages. The SFRA states that the catchment for South Beck is 2.6km². The South Beck is therefore serving an area significantly larger than the site itself. The EA has confirmed that the use of their model (which includes catchment assessment) is suitable for any forthcoming flood risk assessment. Subsequently no further analysis of the catchment is considered necessary for planning purposes.

2.3. Development Options

Planning Policy Statement 25 (PPS25) Development and Flood Risk has now been replaced by the National Planning Policy Framework (NPPF), however, the NPPF Technical Guidance maintains the same principles as PPS25 and the Sequential and Exception Testing must be applied where applicable. Using the NPPF Sequential Testing, Table 2 details which development types are acceptable within each of the Flood Zones and the associated constraints for development.

Table 2: Flood Zones and appropriate development within the site

Flood Zone	Appropriate Development	Fluvial Flood Risk Constraints/Mitigation for Residential Development
Flood Zone 1	All development is appropriate	No fluvial flood risk constraints.
Flood Zone 2	Residential development is appropriate.	Ground levels would need to be raised, however no compensatory flood storage would be required. Residual risks would need assessing.
Flood Zone 3a	Residential development is appropriate subject to the passing of the Exception Test.	Ground levels would need to be raised as flood mitigation and compensatory storage provided at the same level as the ground raising takes place. <i>Compensatory storage would need to be provided in Flood Zone 1 and therefore development in Flood Zone 3 would lead to an equivalent reduction in developable area in the existing Flood Zone 1.</i>
Flood Zone 3b	Water Compatible Development	No residential development is permitted within this

Functional Floodplain	only such as flood defences and water amenity and possible sports pitches, recreational areas and habitat creation.	Flood Zone. In addition to this, there can be no alteration of ground levels.
-----------------------	---	---

3. CONCLUSION AND RECOMMENDATIONS

Through site specific modelling using LiDAR data it has been determined that the flood risk at the site is considerably different when compared to the data supplied by the EA. Part of the site do lie within Flood Zones 2, 3a and 3b, however, mapping of the flood zones has revealed that the extent of flooding is likely to be significantly less than that shown by the EA maps.

The indicative flood outlines produced as part of this study suggest that a significant proportion of the site lies within Flood Zone 1 which will be suitable for residential development. Such development will also be viable in Flood Zone 2. This is subject to passing the Exception Test and confirmation of flood zones through site survey data. As development is not permitted in Flood Zone 3b, this area could be suitable for open space uses.

In addition to the restrictions of development within Flood Zone 3b, an easement should be provided adjacent to the watercourse to allow for its maintenance. This easement can be negotiated during the planning application stage, however as a starting point 8m from the top of the bank should be kept free from development.

URS recommends that if this site is progressed for development that a site specific topographical survey should be carried out to allow confirmation of the flood zones as determined through the use of LiDAR data. This is particularly important given the flat nature of the site as even a small reduction (in the order of 100mm) in the topographical level could alter the flood zone extents. This site survey can be undertaken as part of a Flood Risk Assessment (FRA), which will be required to accompany any planning application for this site. This FRA will require the analysis of flooding from all sources, and will need to detail how surface water runoff will be managed.

Appendix A – Environment Agency Consultation Response

Sarah Mason

From: Beech, Cheryl [Cheryl.Beech@environment-agency.gov.uk]
Sent: 15 May 2012 11:03
To: Sarah Mason
Subject: FW: Your Enquiry: RFI/2012/22017
Attachments: Advisory Text Attachment.pdf; Standard Notice.pdf; VAT Receipt.pdf; ModelledNodePointMeasurement.pdf; 22017.pdf

From: Riley, Stacey
Sent: 02 May 2012 11:49
To: 'sarah.mason@urs.com'
Subject: Your Enquiry: RFI/2012/22017

Our ref: RFI/2012/22017
Your ref:

Date: 2ndMay 2012

Dear Sarah

RE: Malton Road, Huntingdon, York

Thank you for your request of 5 April 2012 regarding the above.

According to York City Council's Strategic Flood Risk Assessment (SFRA) the site lies partially within Flood Zone 3b- the functional flood plain. Flood Zone 3b areas are defined in the National Planning Policy Framework (NPPF) as "land where water has to flow or be stored in times of flood". Specifically, this is:

- Land which would flood with annual probability of 1 in 25 (4%) or greater in any year
- Land which provides a function of flood conveyance (i.e. free flow) or flood storage, either through natural processes or by design (e.g. washlands and flood storage areas).
- Land where the flow of flood water is not prevented by flood defences or by permanent building or other solid barriers during times of flood.

York City Council's SFRA does not permit residential development in Flood Zone 3b. Therefore the Environment Agency would object in principle to a planning application submitted for residential development in Flood Zone 3b which is in line with Table 3 of the Technical Guidance to the NPPF. The applicant should contact York City Council if they wish to discuss the SFRA in more detail.

It is noted that not all of the site falls in flood zone 3b. Should a sequential approach be taken to locating the development in areas of the site at lower flood risk the EA would consider the submitted FRA. The FRA will need to focus on the management of surface water run-off, raised floor levels, flood resilience/resistance measures, flood warning/evacuation and potentially compensatory flood water storage.

We have provided you with a map which shows areas of land that we believe to be at risk of flooding from rivers and does not cover other sources of flooding such as local drainage, surface water or groundwater. These areas do not take into account defences as water can overtop or they can fail in extreme conditions. Your site is partially located inside of the Flood Zones.

- **Flood Zone 2** - This zone comprises land assessed as having between a 1 in 100 and 1 in 1000 annual probability of river flooding (1% – 0.1%) in any year
- **Flood Zone 3** - This zone comprises land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%) in any year

Modelled data

We have provided you with a number of modelled levels and flows from the 2008 Foss Model Improvements Study. Please refer to the map provided for the location of these nodes. Levels are provided in mAOD. Flows are provided in m/s. Please note the 101 return period in the 1 in 100 year plus climate change scenario.

This information is provided subject to the enclosed notice, which you should read.

If you have any queries or would like to discuss the content of this letter further please do not hesitate to contact us on the number below.

Yours sincerely

Stacey Riley
External Relations Officer
Direct Dial 0113 2134732
Email neyorkshire@environment-agency.gov.uk

Please note: I job share with Cheryl Beech. I cover Monday & Friday and Cheryl covers Tuesday, Wednesday & Thursday.

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Use of Environment Agency Information for Flood Risk Assessments / Flood Consequence Assessments

Important

If you have requested this information to help inform a development proposal, then you should note the following:

In **England**, you should refer to the Environment Agency's Flood Risk Standing Advice and PPS25 and its associated Practice Guide for information about what flood risk assessment is needed for new development in the different flood zones. These documents can be accessed via:

<http://www.environment-agency.gov.uk/research/planning/82587.aspx>

<http://www.communities.gov.uk/publications/planningandbuilding/pps25floodrisk>

<http://www.communities.gov.uk/publications/planningandbuilding/pps25practiceguide>

You should also consult the Strategic Flood Risk Assessment produced by your local planning authority.

In **Wales**, you should refer to TAN15 for information about what flood consequence assessment is needed for new development in the different flood zones

<http://new.wales.gov.uk/topics/planning/policy/tans/tan15?lang=en>

You should also refer to any Strategic Flood Consequence Assessment produced by your local planning authority.

In **both England and Wales** you should note that:

1. Information supplied by the Environment Agency may be used to assist in producing a flood risk or flood consequence assessment (FRA/FCA) where one is required, but does not constitute such an assessment on its own.
2. This information covers flood risk from main rivers and the sea, and you will need to consider other potential sources of flooding, such as groundwater or overland runoff. The information produced by the local planning authority referred to above may assist here.
3. Where a planning application requires a FRA/FCA and this is not submitted or deficient, the Environment Agency may well raise an objection.
4. For more significant proposals in higher flood risk areas, we would be pleased to discuss details with you ahead of making any planning application, and you should also discuss the matter with the local planning authority.

Baisc FRA Map centred on Malton Road, York - Created on 30/04/2012 [Ref: 22017]

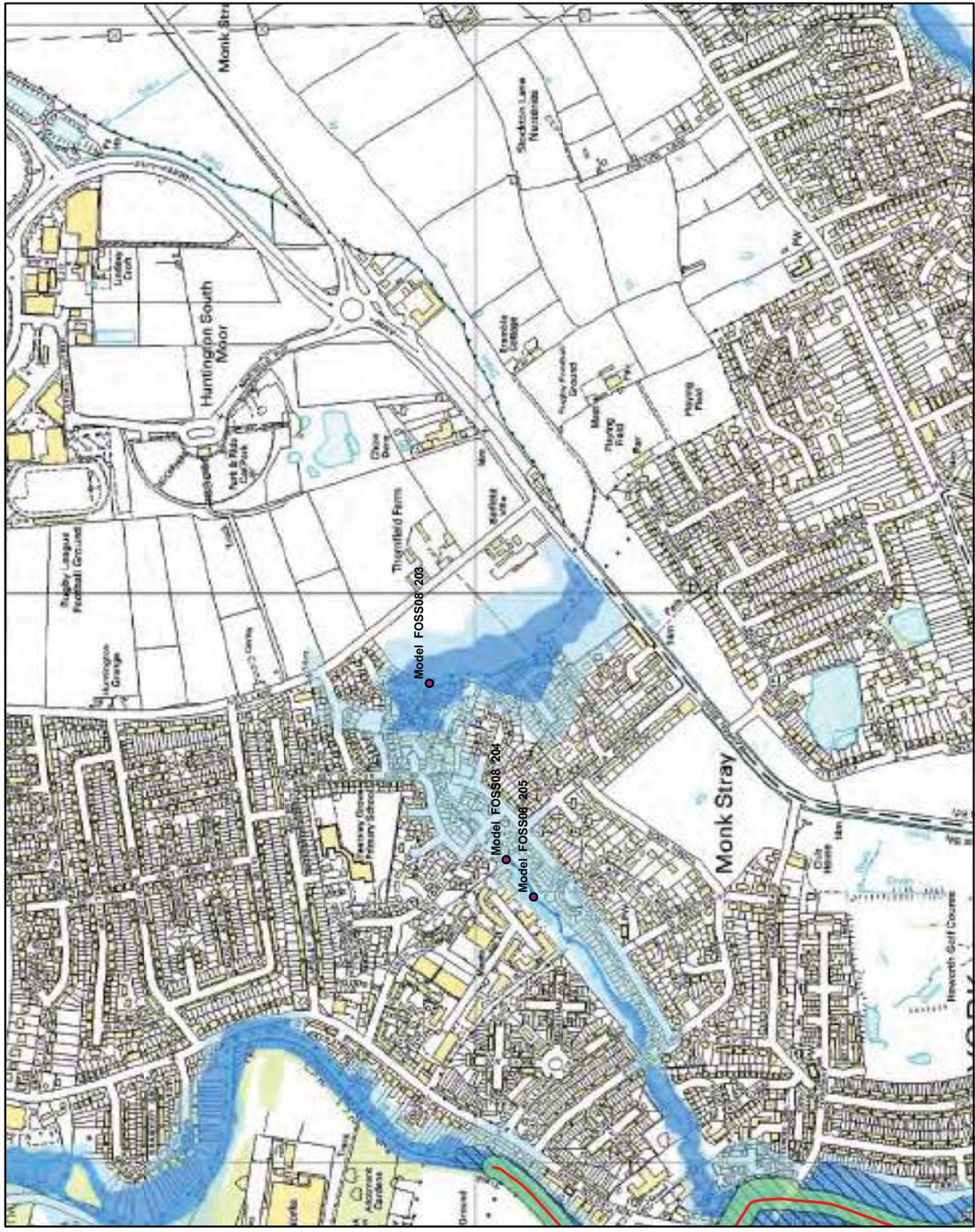


Scale 1:10,000

Please note that the supplied map is not considered by the Environment Agency to constitute a flood risk assessment on its own and may not be accepted by local planning authorities for that purpose. Using an inappropriate scale can in some instances result in a different indication of whether a particular point is within a flood zone.

Legend

- Node Point
- Main River
- Flood Defences
- Bank Top E-Planning Tool
- ▨ Areas Benefiting
- Flood Zone 3
- Flood Zone 2



ModelledNodePointMeasurement.xls

NodePointName	ReturnPeriod	LevelValue	FlowValue
Model_FOSS08_203	5	11.82	0.86
Model_FOSS08_203	10	11.98	1.03
Model_FOSS08_203	25	12.06	1.26
Model_FOSS08_203	50	12.1	1.45
Model_FOSS08_203	75	12.12	1.57
Model_FOSS08_203	100	12.13	1.66
Model_FOSS08_203	101	12.18	1.99
Model_FOSS08_203	200	12.17	1.88
Model_FOSS08_203	1000	12.3	3.38
Model_FOSS08_204	5	10.73	0.86
Model_FOSS08_204	10	11.03	1.03
Model_FOSS08_204	25	11.29	1.26
Model_FOSS08_204	50	11.45	1.45
Model_FOSS08_204	75	11.55	1.57
Model_FOSS08_204	100	11.62	1.66
Model_FOSS08_204	101	11.87	1.99
Model_FOSS08_204	200	11.8	1.88
Model_FOSS08_204	1000	12.12	3.38
Model_FOSS08_205	5	10.7	0.86
Model_FOSS08_205	10	11.02	1.02
Model_FOSS08_205	25	11.28	1.25
Model_FOSS08_205	50	11.44	1.44
Model_FOSS08_205	75	11.54	1.55
Model_FOSS08_205	100	11.61	1.64
Model_FOSS08_205	101	11.86	1.95
Model_FOSS08_205	200	11.8	1.85
Model_FOSS08_205	1000	12.11	3.37
levels are in mAOD			
flows are in m/s			
101 = 1 in 100 year plus climate change scenario.			

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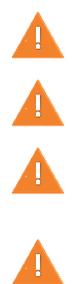


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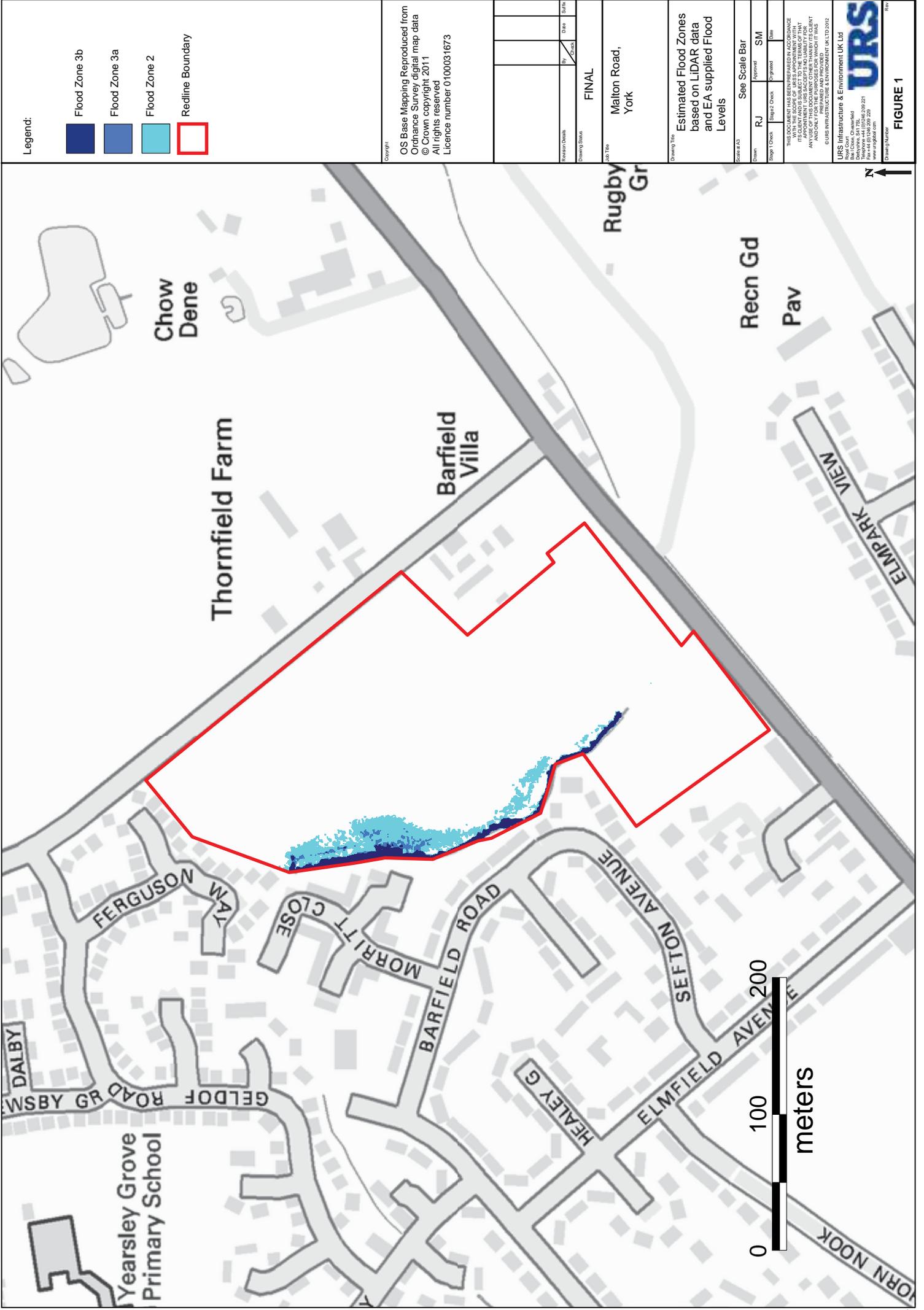
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Appendix B – Strategic Flood Risk Assessment Mapping

Appendix C – URS Flood Mapping



Legend:

- Flood Zone 3b
- Flood Zone 3a
- Flood Zone 2
- Redline Boundary

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Revision Details	By	Date	Status
Drawing Status			
FINAL			

JOB Title
 Malton Road,
 York

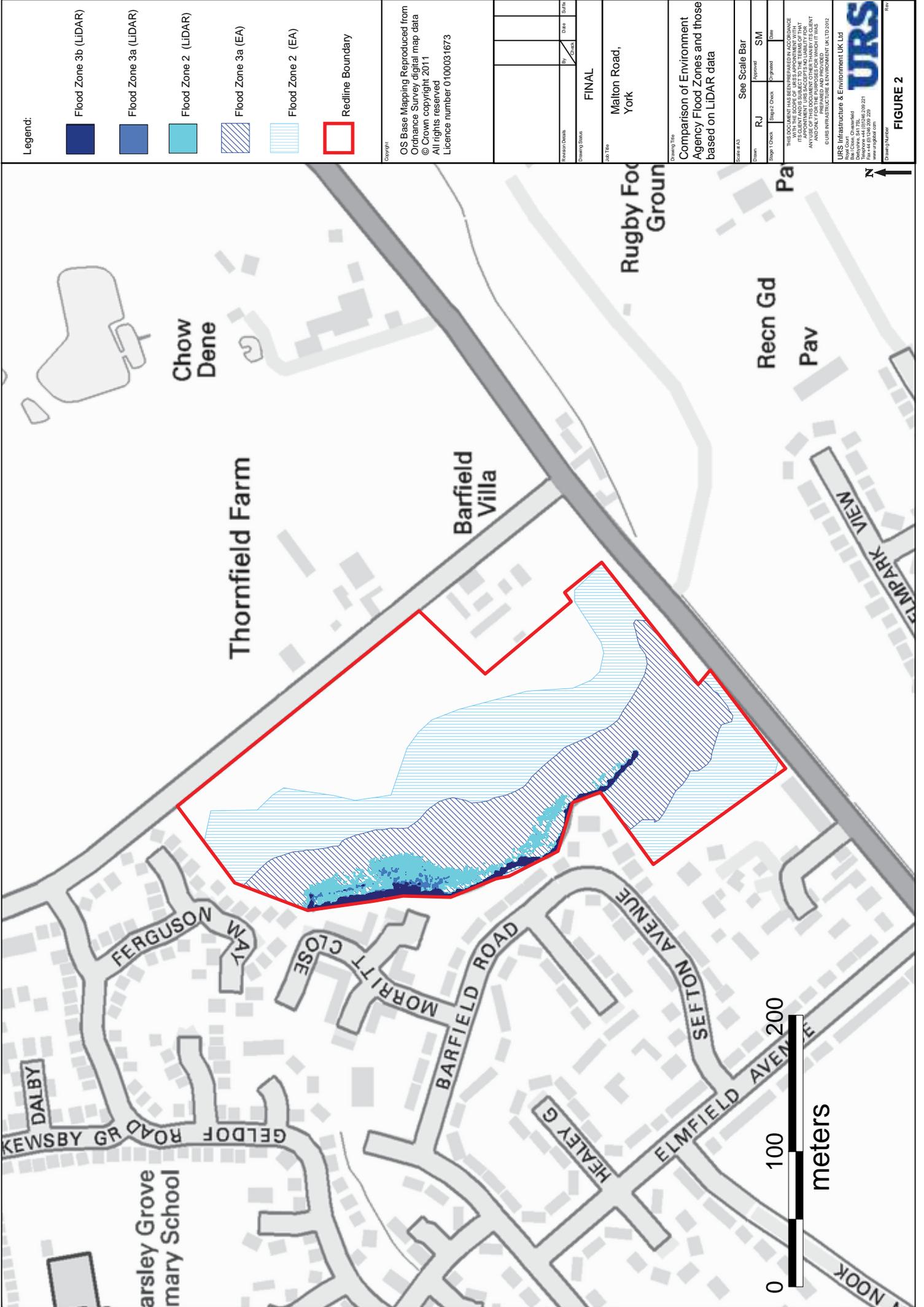
Drawing Title
 Estimated Flood Zones
 based on LIDAR data
 and EA supplied Flood
 Levels

See Scale Bar			
Drawn	RJ	Approved	SM
Design Check			

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Drawn: MURPHY
FIGURE 1



Legend:

- Flood Zone 3b (LIDAR)
- Flood Zone 3a (LIDAR)
- Flood Zone 2 (LIDAR)
- Flood Zone 3a (EA)
- Flood Zone 2 (EA)
- Redline Boundary

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Revision Details	By	Date	Scale
Drawing Status			
FINAL			

Job Title
 Malton Road,
 York

Drawn By
 Comparison of Environment
 Agency Flood Zones and those
 based on LIDAR data

Scale	See Scale Bar	
Drawn	RJ	SM

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FIGURE 2

Appendix D – Yorkshire Water Records

YORKSHIRE WATER PROTECTION OF MAINS AND SERVICES - CLEAN WATER

1. Please note the positions of clean water apparatus shown on the enclosed plans are believed to be correct. However, Yorkshire Water (YW) will accept no responsibility in the event of any inaccuracy or omission. The actual position of such apparatus and that of service pipes which have not been indicated must be established on site by contacting the Customer Helpline (0845 124 24 24) for water and (0845 120 84 82) for sewerage.

2. To enable future repair works to be carried out without hindrance; any pipe, cable, duct, etc. installed parallel to a water main or service pipe should not be installed directly over or within 300mm of a water main or service pipe. Where a pipe, cable, duct, etc. crosses a main or service it should preferably cross perpendicular or at an angle of no less than 45° and with a minimum clearance of 150mm. These requirements apply to activities within an existing highway and are relevant to the installation of pipes, cables, ducts, etc. up to and including 250mm in diameter. Necessary protection measures for installations greater than 250mm in diameter and/or in private land will need to be agreed on an individual basis.

Installations within a new development site must comply with the National Joint Utilities Group publication Volume 2: NJUG Guidelines On The Positioning Of Underground Utilities Apparatus For New Development Sites.

3. All excavation works near to YW apparatus should be by hand digging only.

4. Backfilling with a suitable material to a minimum 300mm above YW apparatus is required.

5. If surface levels are to be decreased/increased significantly the effects on existing apparatus will be carefully considered and if any alterations are necessary, the costs of the alterations will be recharged to you in full. Outlets on fire hydrants must be no more than 300mm below the new levels and all surface boxes must be adjusted as part of the scheme.

6. Adequate support must be provided where any works pass under YW apparatus.

7. Jointing chambers, lighting columns and other structures must be installed in such a way that future repair or maintenance works to YW apparatus will not be hindered.

8. Apparatus such as; railings, sign posts, etc. must not be placed in such a way that they prevent access to or full operation of controlling valves, hydrants or similar apparatus. Care must also be taken not to bury or cover chamber lids for similar reasons.

9. Explosives shall not be used within 100 metres of any Yorkshire Water Services apparatus or installations.

10. Vibrating plant should not be used directly over any apparatus.

11. *Under no circumstances* should thrust boring or similar trenchless techniques commence until the actual position of the Company's mains/services along the proposed route have been confirmed by trial holes.

12. Any alterations to the highway should be notified following the procedures outlined in the New Road and Street Works Act 1991 Code of Practice; Measures Necessary Where Apparatus Is Affected By Major Works (Diversionary Works).

13. Should YW incur any costs as a result of non-compliance with the above, all costs will be rechargeable in full.

14. In accordance with the New Roads and Street Works Act 1991, Chapter 22, Part 3, Section 80. The location of any identified YW asset "*which is not marked, or is wrongly marked, on the records made available*" should be communicated back to Yorkshire Water. The location of the apparatus should be identified on copies of the supplied plans which should be returned to Yorkshire Water with photographic supporting evidence where possible.

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YORKSHIRE WATER PROTECTION OF MAINS AND SERVICES - WASTE WATER

1. The position of Yorkshire Water Services Ltd (YWS) apparatus shown on the existing mains record drawing(s) indicates the *general* position and nature of our apparatus and the accuracy of this information cannot be guaranteed. Any damage to YWS apparatus as a result of your works may have serious consequences and you will be held responsible for all costs incurred. Prior to commencing major works, the exact location of apparatus must be determined on site, if necessary by excavating trial holes. The actual position of such apparatus and that of service pipes which have not been indicated must be established on site by contacting the Customer Helpline (0845 124 24 24) for water and (0845 124 24 29) for sewerage.
2. The public sewer network is lawfully retained in its existing position and the sewerage undertaker is entitled to have it remain so without any disturbance. The provisions of section 159 of the Water Industry Act 1991 provides that the sewerage undertaker may "inspect, maintain, adjust, repair or alter" the network. Those rights are given to enable the sewerage undertaker to perform its statutory duties. Any development of the land or any other action that unacceptably hindered the exercise of those rights would be unlawful.
3. Ground levels over existing YWS apparatus are to be maintained. Sewers in highways will *generally* be laid to give 1200mm of cover from finished ground level working to kerb races, other permanent identification of the limits of the road or to an agreed line and level. Substantial increases or decreases to this 1200mm depth of cover will result in the sewer being re-laid at your expense.
4. If surface levels are to be decreased / increased significantly the effects on existing water supply apparatus will be carefully considered and if any alterations are necessary, the costs of the alterations will be recharged to you in full. Outlets on fire hydrants must be no more than 300mm below the new levels and all surface boxes must be adjusted as part of the scheme.
5. To enable future repair works to be carried out without hindrance; any pipe, cable, duct, etc. installed parallel to a water main or service pipe should not be installed directly over or within 300mm of a water main or service pipe or 1000mm of a waste water asset. Where a pipe, cable, duct, etc. crosses a main or service it should preferably cross perpendicular or at an angle of no less than 45° and with a minimum clearance of 150mm. These requirements apply to activities within an existing highway and are relevant to the installation of pipes, cables, ducts, etc. up to and including 250mm in diameter. Necessary protection measures for installations greater than 250mm in diameter and/or in private land will need to be agreed on an individual basis. Installations within a new development site must comply with the National Joint Utilities Group publication Volume 2: NJUG Guidelines On The Positioning Of Underground Utilities Apparatus For New Development Sites.
6. All excavation works near to YW apparatus should be by hand digging only.
7. Backfilling with a suitable material to a minimum 300mm above YW apparatus is required.
8. Adequate support must be provided where any works pass under YW apparatus.
9. Jointing chambers, lighting columns and other structures must be installed in such a way that future repair or maintenance works to YW apparatus will not be hindered.
10. Apparatus such as; railings, sign posts, etc. must not be placed in such a way that they prevent access to or full operation of controlling valves, hydrants or similar apparatus. YWS surface boxes must not be covered or buried. Any adjustment, alteration or replacement of manhole covers must be agreed on site prior to the commencement of the works with a YWS Inspector who may be contacted via our Call Centre on 0845 124 24 29.
11. Explosives shall not be used within 100 metres of any Yorkshire Water Services apparatus or installations.
12. Vibrating plant should not be used directly over any apparatus. Movement or operation by vehicles or heavy plant is not to be permitted in the immediate vicinity of YWS plant or apparatus unless there has been prior consultation and, if necessary, adequate protection provided without cost to YWS.
13. *Under no circumstances* should thrust boring or similar trenchless techniques commence until the actual position of the Company's mains/services along the proposed route have been confirmed by trial holes.
14. Any alterations to the highway should be notified following the procedures outlined in the New Road and Street Works Act 1991 Code of Practice; Measures Necessary Where Apparatus Is Affected By Major Works (Diversionary Works).
15. You will be held responsible for any damage or loss to YWS apparatus during and after completion of work, caused by yourselves, your servant or agent. Any damage caused or observed to YWS plant or apparatus should be immediately reported to YWS. Should YW incur any costs as a result of non-compliance with the above, all costs will be rechargeable in full.
16. You should ensure that nothing is done on the site to prejudice the safety or operation of YWS employees, plant or apparatus.
17. In accordance with the New Roads and Street Works Act 1991, Chapter 22, Part 3, Section 80. The location

of any identified YW asset "*which is not marked, or is wrongly marked, on the records made available*" should be communicated back to Yorkshire Water. The location of the apparatus should be identified on copies of the supplied plans which should be returned to Yorkshire Water (Asset Records Team) with photographic supporting evidence where possible.

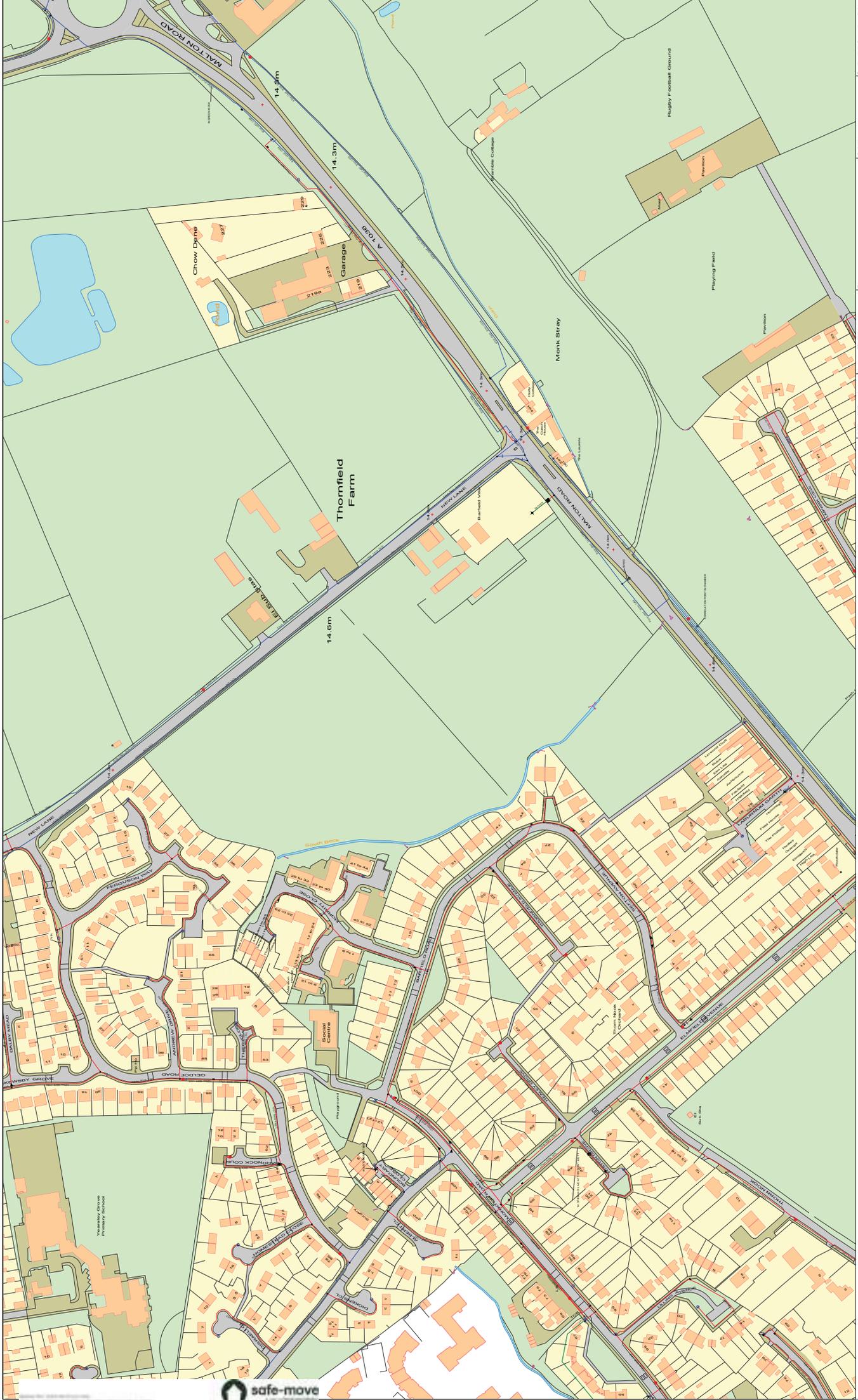
18. The Government has decided that responsibility for private sewers serving two or more properties and lateral drains (the section of pipe beyond the boundary of a single property, connecting it to the public sewer) will be transferred to the water companies on the 1st October 2011. Private pumping stations will also transfer during the period 1st October 2011 - 1st Oct 2016. Records of these assets may not yet be shown on the existing mains record drawing(s). If you encounter any of these assets you must inform Yorkshire Water Services Ltd (YWS).
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Sewer Legend

	Combined Sewer		S24 Combined Sewer
	Surface Water Sewer		S24 Surface Water Sewer
	Foul Sewer		S24 Foul Sewer
	Section 104 Sewer		Public Rising Main
	Pumping Station		Abandoned Sewer
	Public Sewage Treatment Works		Syphon Sewer & Vacuum Sewer
	+		Property Identifier

Water Legend

	Water Main 4" and below
	Water Main 4" and above
	Raw Water Main
	Private Water Main
	Fire Hydrant
	Pumping Station



<p>safe-move <small>safe-move</small></p>		<p>WKS <small>WKS</small></p>	
<p>Project Name: 2024/00000000</p> <p>Project No: 2024/00000000</p> <p>Project Title: 2024/00000000</p> <p>Project Location: 2024/00000000</p> <p>Project Status: 2024/00000000</p> <p>Project Manager: 2024/00000000</p> <p>Project Engineer: 2024/00000000</p> <p>Project Designer: 2024/00000000</p> <p>Project Checker: 2024/00000000</p> <p>Project Approver: 2024/00000000</p> <p>Project Date: 2024/00000000</p> <p>Project Version: 2024/00000000</p> <p>Project Scale: 2024/00000000</p> <p>Project Sheet: 2024/00000000</p> <p>Project Title: 2024/00000000</p> <p>Project Location: 2024/00000000</p> <p>Project Status: 2024/00000000</p> <p>Project Manager: 2024/00000000</p> <p>Project Engineer: 2024/00000000</p> <p>Project Designer: 2024/00000000</p> <p>Project Checker: 2024/00000000</p> <p>Project Approver: 2024/00000000</p> <p>Project Date: 2024/00000000</p> <p>Project Version: 2024/00000000</p> <p>Project Scale: 2024/00000000</p> <p>Project Sheet: 2024/00000000</p>		<p>Project Name: 2024/00000000</p> <p>Project No: 2024/00000000</p> <p>Project Title: 2024/00000000</p> <p>Project Location: 2024/00000000</p> <p>Project Status: 2024/00000000</p> <p>Project Manager: 2024/00000000</p> <p>Project Engineer: 2024/00000000</p> <p>Project Designer: 2024/00000000</p> <p>Project Checker: 2024/00000000</p> <p>Project Approver: 2024/00000000</p> <p>Project Date: 2024/00000000</p> <p>Project Version: 2024/00000000</p> <p>Project Scale: 2024/00000000</p> <p>Project Sheet: 2024/00000000</p>	



Annex 3: Green Belt Review

Green Belt Appraisal, Malton Road, York

Introduction

The following has been carried out as part of the Green Belt Appraisal:

- 1) Discussion with client's Planning Consultant, Chris Darley of Nathaniel Lichfield and Partners, on 25th September 2012;
- 2) Desktop review of relevant planning documents relating to Green Belt allocation, including:
 - National Planning Policy Framework (NPPF) – March 2012;
 - City of York Local Plan: The Approach to the Green Belt Appraisal, City of York Council – February 2003;
 - York – Constraints Map, City of York Council;
 - City of York LDF, Allocations DPD Issues and Options Annex – Map document – March 2008; and
 - City of York Local Development Framework (LDF), Core Strategy, Supporting Paper 4. Spatial Strategy, Technical Papers Historic Character and Setting and Green Corridors – January 2011; and
- 3) Site visit, 26th September 2012.

The Appraisal considers the characteristics of the site and surrounding area, firstly in the context of national policy regarding Green Belt, and secondly in relation to emerging local policy regarding Green Belt boundary definition and Green Wedges.

Existing Site and Surroundings

Key characteristics of the Malton Road site and surrounding area relevant to the Green Belt Appraisal are summarised as follows:

- The site sits on the north-eastern edge of the city of York, located at the junction of the A1036 Malton Road and New Lane;
- The site abuts the eastern edge of the Barfield Road area of Huntington. This is a dense residential suburb of 1970s/ 80s mews/apartments blocks (two storeys) with communal open space to frontages and small areas of rear garden arranged in an irregular street pattern. There are also bungalows with private front and rear gardens;
- The built edge of Huntington, to the north of the site, extends to New Lane as a definitive boundary;
- The residential area of Heworth lies to the south of the site. It comprises mainly 1970s two-storey semi-detached housing, with occasional bungalows. The street pattern is a cul-de-sac arrangement. The site is separated from Heworth by the A1036 Malton Road, a busy single carriageway road and an important vehicular approach to the City, and Monk Stray;
- Monk Stray, which has historical importance as common pasture and strip farming, is at its narrowest where it forms the gap between Huntington and Heworth, being approximately 100m wide;

- The built edge of Heworth extends further to the east than the Barfield Road area of Huntington, stopping just short of the line of New Lane which forms the north-eastern boundary of the site;
- The western boundary of the site is formed by varying rear garden boundary treatments, including different scales and types of vegetation, trees and gardens, and various fencing types;
- The north-eastern and south-eastern boundaries of the site are defined by 3-4m high hawthorn hedging, adjacent to the back edge of footpaths to New Lane and Malton Road;
- The roads to the two hedged boundaries, especially the A1036 Malton Road, are busy with vehicular traffic. The roads bring movement, fumes and noise and this affects tranquillity. Tranquillity is a key factor in determining a feeling of countryside;
- A tree belt approximately 10m wide and 10-12m high was planted across the site by the site owners in the recent past. It contains trees such as birch, ash and an understory of hazel and hawthorn. This follows a historic field boundary as depicted on the 1890 Ordnance Survey edition;
- There is also a field boundary hedgerow, with occasional mature hedgerow trees, running approximately north-south through the south-western part of the site;
- The site comprises low-lying agricultural land with elements of built form. These are the Barfield Villa residential property and Barfield Estate commercial premises in the eastern corner of the site at the Malton Road/ New Lane junction;
- Thornfield Farm is located to the north-east of New Lane, opposite the site, midway along its north-eastern boundary;
- Residential and commercial properties extend eastwards to either side of Malton Road in close proximity to the site, giving the land around the eastern edge of the main built-up area of York a distinctly urban fringe character; and
- The site and its immediate environment are urban fringe land rather than countryside.

National Planning Policy Framework (NPPF) – March 2012

The following outlines the five purposes of the Green Belt as set out in the NPPF, and considers these in the context of the site.

The NPPF states that *“Green Belt serves five purposes:*

- 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; and*
- 5) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

The Malton Road site has been considered in relation to these five purposes to understand the contribution the site makes to the achievement of the Green Belt's functions. Relevant points for consideration are set out below, followed by overall conclusions.

1) *To check the unrestricted sprawl of large built-up areas:*

- There are already built elements within the eastern corner of the site at the junction of Malton Road and New Lane and in its immediate vicinity.
- Residential development in the Barfield Road area of Huntingdon border the site to north-west and west.
- The site is contained by the A1036 Malton Road on the south-eastern boundary and New Lane on the north-eastern boundary, which are busy roads.
- The site and its immediate environment are urban fringe rather than countryside.
- If the site was to be developed the built form would extend no further out from York beyond that of the existing built up area on the eastern corner of the site.

2) *To prevent neighbouring towns merging into one another:*

- The residential suburbs of Huntingdon and Heworth are separated by Monk Stray, 100m wide at its narrowest point, and the busy main road, A1036 Malton Road.
- Monk Stray would still remain as a restriction to coalescence of the residential areas of Huntingdon and Heworth, and immediately to the south-west of the site it does already form the only separation.

3) *To assist in safeguarding the countryside from encroachment:*

- When viewing the site from the A1036 Malton Road, either approaching from the city centre or from the ring road, it does not appear rural in character, and is enclosed by 3-4m high hedging (predominantly hawthorn) to two boundaries and built form to the other boundary.
- As described at point 1) above, if the site was to be developed the built form would extend no further out from York into the urban fringe beyond that of the existing built up area on the eastern corner of the site.

4) *To preserve the setting and special character of historic towns:*

- The Minster can be viewed from the A1036, however it is not the openness of the site that enables this, but the road corridor and Monk Stray.
- The Minster is scarcely visible across the site because of the dense perimeter hedge and development in the eastern corner, including extensive vegetation.
- Development on the site would therefore change the existing situation with regards the ability to experience long vistas from the outskirts to city landmarks, including York Minster, which are currently only

available from the transport corridor and Monk Stray adjacent to the site.

- 5) *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- Although not strictly urban the site does have distinctly urban fringe influences and relates closely to the existing residential edge. To the north-west and west the site abuts the built up residential areas of Huntingdon, and to the north-east and south-east it has clearly defined boundaries with the existing roads.

In conclusion, the site does not fulfil the five purposes of the Green Belt.

Green Belt Boundary Definition

The whole of the site is washed over by Draft Green Belt, in the unadopted Local Plan (2006). The new Local Plan will seek to set the boundaries of Green Belt definitively.

The NPPF states that:

"Local planning authorities with Green Belts in the area should establish Green Belt boundaries in their Local Plans...Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan."

And that, amongst other factors:

"When defining boundaries, local planning authorities should:

- *not include land which it is unnecessary to keep permanently open; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent."*

Considering these boundary definition points in relation to the site:

- as concluded in the previous section regarding the five purposes of Green Belt, the site does not fully contribute to achieving the purposes of Green Belt around the north-western edge of York and therefore it is unnecessary to keep it permanently open as part of the Green Belt;
- the roads New Lane and Malton Road are physical features that are readily recognisable and permanent, which could be used to define the boundary of the Green Belt in this area.

City of York Local Plan: The Approach to the Green Belt Appraisal prepared by City of York Council – February 2003 (and accompanying Constraints Map)

This City of York Local Plan document sets out its aims in relation to the five purposes of Green Belt (with reference to PPG 2, which has now been superseded by the NPPF):

"Purpose 1, 3 and 5 represent relevant principles which are important elements of all Green Belt, but when considered alone in the case of York, do not assist in a spatial assessment of which areas are the most valuable in Green Belt terms. The two remaining points 2 and 4 however provide the basis on which an

evaluation can be made and are therefore most useful for the purposes of this study.

The Council considers the most important of these to be the purpose relating to the ‘preservation of the setting and special character of historic towns’.”

The historic character and setting of York is defined within the document in terms of the following elements:

- open approaches to the city;
- green wedges;
- views of the Minster;
- character of the landscape;
- urban form;
- relationship between the urban edge and the countryside; and
- the relationship with the surrounding villages.

It identifies three categories of ‘Most Valuable Areas of Green Belt’, one of which is ‘Areas which retain, reinforce and extend the pattern of historic green wedges’. The south-eastern part of the site, up to the tree belt, is designated as green wedge (see York – Constraints Map).

Consideration of the site’s contribution to the historic character and setting of York has been made, and key points are summarised below:

- The A1036 represents an open approach towards the City and long views are achieved across the relatively flat landscape, particularly approaching from the ring road. On arriving at the Jockey Lane (Monks Cross) roundabout, however, these views are restricted by built form in the foreground, in the way of commercial and residential properties and buildings, to either side of Malton Road. The open nature of green wedges is said to *“allow views of the city to be enjoyed including important vistas towards the Minster”*. The Minster can be viewed from the A1036, however it is not the openness of the site which enables this, but the road corridor and Monk Stray, and development of the site would not alter this.
- The Minster is scarcely visible from the area in the immediate vicinity to the north-east, from New Lane, because of the dense perimeter hedge and existing development within the site, including extensive vegetation and large trees.
- The character of the landscape of the site, although low-lying agricultural land, is enclosed in character (rather than open) due to the prominent built form to boundaries and the hedge. Although the majority of the site is open, in the sense that it is not built on, this is not the perception from the outside of the site.
- The Local Plan document states *“The spaces separating the villages from the city were reduced by the growth of the city over time, however, the presence of strays and ‘ings’ have restricted their lateral coalescence helping to retain some of the characteristics of earlier settlement form.”* Monk Stray would remain as a restriction to coalescence of the residential areas, as at present.

- The site, in combination with the surrounding areas, displays typical urban fringe characteristics, which have the effect of blurring the transition between town and country, with built elements already existing on the site and to the east of it, and this land presents an opportunity to strengthen and enhance the settlement edge.

Conclusion

With reference to the five defined purposes of Green Belt it is concluded that removing the green wedge allocation on the site (which forms an element of the Green Belt in the City of York) would not affect the overall coherence of the Green Belt to the north-east of the City. Most importantly, with reference to the 'City of York Local Plan: The Approach to the Green Belt Appraisal', it would not alter key historic views to the Minster or other elements of the historic city.

Further work should be undertaken to define an acceptable pattern of development, not only in terms of an appropriate arrangement of built form and open space, but also building heights, massing and appearance, the relationship to existing adjacent development and boundary treatments. This would also determine whether or not it would be desirable to retain an area of open space along the south-eastern edge of the site adjacent to Malton Road, although Monk Stray (on the opposite side of Malton Road) would still remain, serving the purpose of providing separation between the neighbouring suburbs of Huntingdon and Heworth, as at present.

From: Zoe Harrison [ZoeHarrison@listerhaigh.co.uk]
Sent: 04 April 2018 17:51
To: localplan@york.gov.uk
Subject: Local Plan Representation
Attachments: Comments_form_FINAL - Blacker.docx; STRATEGIC HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT SITE SUBMISSION FORM.docx; knaresborough@listerhaigh.co.uk_20180404_173308.pdf

Dear Sirs,

Please find attached a representation submitted on behalf of Messrs N Blacker & Son to the Local Plan consultation.

I would appreciate if you could confirm receipt in due course.

Kind regards,

Zoe Harrison BSc (Hons) MRICS
RICS Registered Valuer
Chartered Surveyor



Lister Haigh (Knaresborough) Limited
106 High Street, Knaresborough, North Yorkshire, HG5 0HN
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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 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	Messrs	Miss
First Name	N	Zoe
Last Name	Blacker & Son	Harrison
Organisation (where relevant)		Lister Haigh (Knaresborough) Ltd
Representing (if applicable)		Messrs N Blacker
Address – line 1		106 High Street
Address – line 2		Knaresborough
Address – line 3		North Yorkshire
Address – line 4		
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E-mail Address		zoe.harrison@listerhaigh.co.uk
Telephone Number		01423 860322

Guidance note

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- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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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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

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

Yes

No

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

Yes

No

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

What does 'Sound' mean?

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

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

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

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

Yes No

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

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

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

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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.

Draft Policy GB1: Green Belt

This policy does not allow flexibility for sites located adjacent to settlements to come forward for market housing schemes. The review of the Green Belt has not taken into full consideration the extent of amendments that would need to be made to allow for appropriate development sites to come forward.

Draft Policy H1: Housing Allocations & Draft Policy EC1: Provision of Employment Land

We submitted a site for consideration as a draft allocation for housing in October 2014 which has not been considered for this Local Plan and we would like to resubmit it as a possible mixed use/new settlement allocation.

The site is in a sustainable location on the edge of the village of Skelton. It has a primary school, a public house, a church, a local bus route, a post office with convenience store and local businesses offering a source of employment.

It is bounded by the railway to the west, the A19 to the east and agricultural land to the north and south. The village of Skelton lies adjacent to the A19 on the eastern side.

As highlighted in a previous representation, the whole of the site is currently in agricultural use and therefore considered to have a low potential of providing the necessary characteristics for a suitable habitat for any protected species.

Continued....

It is a Greenfield site and any development proposal will be carefully designed in order to minimise any harm to the character and appearance of the village, as the size of the site will allow development to be of the highest architectural and environmental standard incorporating an area of open space. Measures would be taken to mitigate the further effect development would have on the countryside and landscape setting of the village.

There are mature hedgerows which form the boundary of the site. This would mitigate the visual impact on the open countryside. The existing trees and hedgerows will provide excellent screening and could be further enhanced.

The site is within the SSSI Impact Zone of Clifton Ings and Rawcliffe Meadows SSSI. Provision could be made for open spaces to increase wildlife interest, biodiversity and woodland cover. The eastern boundary of the site can be screened effectively using natural materials so as to mitigate any further effects development may have on the SSSI.

The majority of the site is located within flood zone 1 and as such it is considered to be at a low risk of flooding. Our Client does, however, recognise the need to ensure that development of the site would not increase the risk of flooding within the local area, in line with national planning policy.

However, part of the site on the western boundary falls within flood zones 2 and 3. Any development proposal would design a scheme which included open space in these areas.

Our client maintains that this site is a logical site for development and it is our opinion that the Council should modify the plan and include this site as a housing allocation.

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



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

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

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

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

Draft Policy GB1: Green Belt

The extent of the Green Belt should be altered to allow other sites to come forward where they are sustainable, such as the site our client has put forward at Skelton.

Draft Policy H1: Housing Allocations

We disagree with the draft allocations. We believe that site ref. land at Park Farm, Skelton should be supported and included as a housing allocation in the Local Plan and should be modified to meet the test of soundness.

Attached is a representation containing further information and a site plan showing the extent of the land in red.

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 wish to participate at the oral part of the examination in order to represent our client and their site being put forward for consideration as an allocation in the Local Plan. We feel that representations made at previous consultations have not been given due consideration.

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

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

Part C - How we will use your Personal Information

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

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.¹

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.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

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.³

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 or on [01904 554145](tel:01904554145)

Signature

Date

04/04/2018

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

STRATEGIC HOUSING AND ECONOMIC LAND AVAILABILITY ASSESSMENT SITE
SUBMISSION FORM

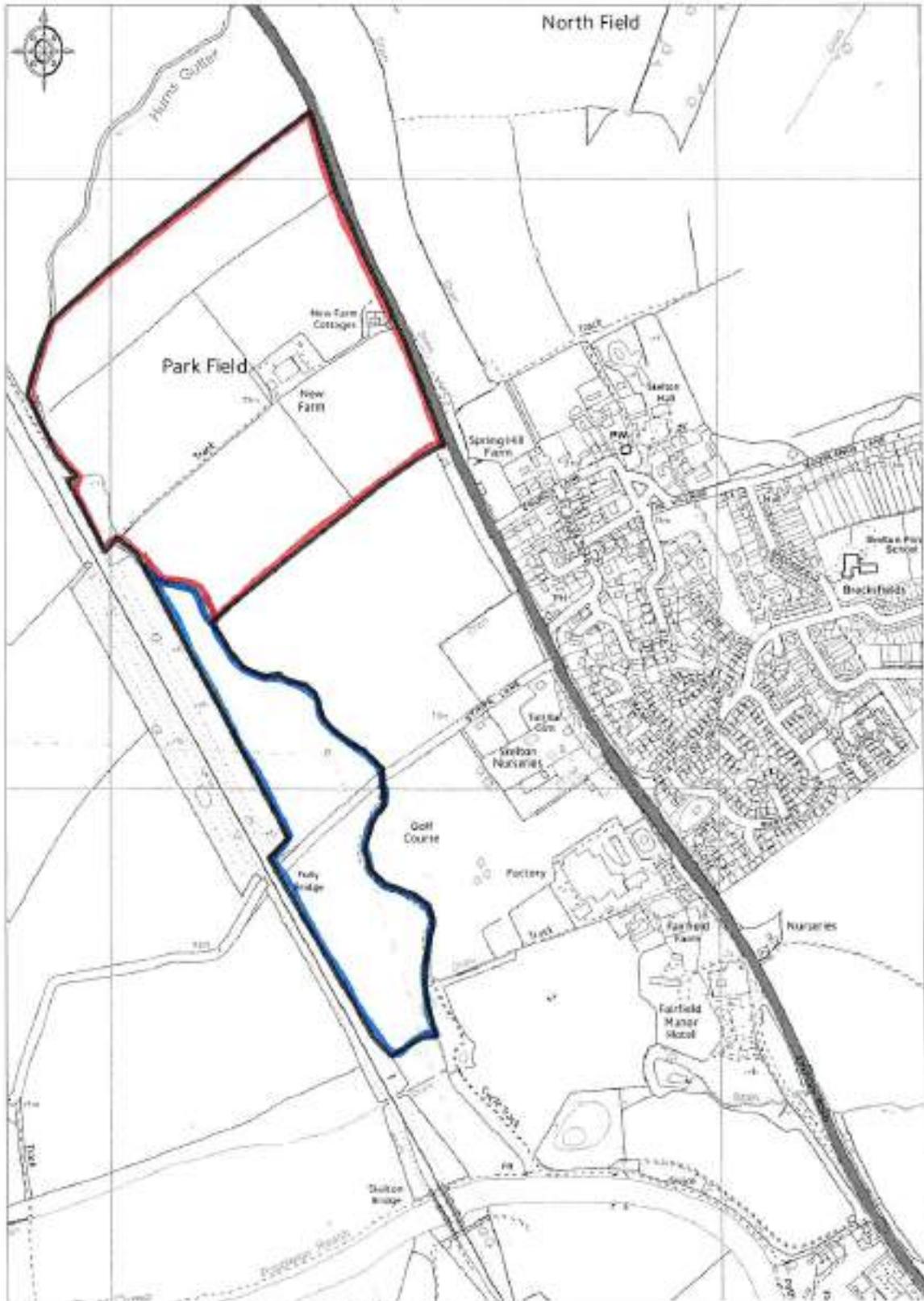
CONTACT DETAILS:		
	1. Owner Details	2. Agent's Details
Title	Messrs	Miss
First Name	N	Zoe
Last Name	Blacker & Son	Harrison
Job Title		Chartered Surveyor
Organisation		Lister Haigh (Knaresborough) Limited
Address – line 1		106 High Street
Address – line 2		Knaresborough
Address – line 3		North Yorkshire
Postcode		HG5 0HN
E-mail Address		Zoeharrison@listerhaigh.co.uk
Telephone Number		01423 860322

SITE INFORMATION	
Site Name	Land at New Farm
Site Address	Skelton, York, YO30
Site Area	32.1 hectares (79.32 acres)
Site Availability	Site is available immediately

SITE CONSTRAINTS		
Does the site have access to a public highway?	<input checked="" type="radio"/> Yes	<input type="radio"/> No
Are there any constraints in connection with ownership such as leases, covenants or ransom strips which may affect the proposed use of the site?	Yes - if yes please provide details	<input checked="" type="radio"/> No
Adjacent land uses.	The land is bordered to the west by the railway, to the south and north by agricultural land and to the east is the A19 and Skelton beyond.	
Details of any ecological constraints and how these may be overcome	The site is within the SSSI Impact Zone of Clifton Ings and Rawcliffe Meadows SSSI. Provision could be made for open spaces to increase wildlife interest, biodiversity and woodland cover. The eastern boundary of the site can be screened effectively using natural materials so as to mitigate any further effects	

	development may have on the SSSI.
Details of any designated or non-designated heritage assets	N/A
Details of any landscape constraints	Green Belt
Other constraints	N/A
Any constraints relating to mains water, sewerage, gas or electricity?	None Known
Details of any other relevant information	<p><u>Location</u> The land at New Farm is sustainably located adjacent to Skelton, just 3.5 miles north-west of York City Centre. It is in close proximity to the A19.</p> <p><u>Settlement Growth</u> The land at New Farm is ideally suited to provide required new homes and employment land for local people as there is an urgent need for the delivery of site allocations.</p> <p>Inclusion of the land at New Farm would provide a sustainable site for settlement growth due its ideal location close to local shops and services within Skelton and York.</p> <p><u>Landscape</u> Whilst clearly a green field site, the landscape is not, in our opinion, of high quality when considered in the context of other landscapes within the district.</p> <p><u>Ecology</u> Neutral or slight effects on designated sites and/or priority habitats and species.</p> <p><u>Bus/Rail</u> Skelton has well-used bus routes within walking distance and would provide a viable way to get to work in the nearby centre of York.</p> <p>Traffic generation can be kept to a minimum by encouraging the population to use the public transport network.</p> <p><u>Schools</u> There are a number of nurseries, primary and secondary schools within the city that are in close proximity to the site.</p> <p><u>Health</u> The closest GP surgery is located in York.</p>

Land at New Farm



Promap

Enduser Survey - © Crown Copyright 2011. All rights reserved.
Licence number 10002412. Revised Scale - 1:5000

*Created by Lister Haigh
(Knaresborough) Ltd*

Lister Haigh

From: Dave Merrett [dave.merrett1@hotmail.co.uk]
Sent: 04 April 2018 22:50
To: localplan@york.gov.uk
Subject: York & District Trades Union Council submission on the Local Plan

Dave Merrett has shared OneDrive files with you. To view them, click the links below.

 [York Local Plan YTUC Covering form.pdf](#)

 [York Sbms Draft Local Plan - YTUC submission attachment Final.pdf](#)

Please find enclosed two documents

1. Our submission form
2. Detailed attachment regarding questions 5 & 6.

Please confirm receipt.

Yours Sincerely

Dave Merrett
Y&DTUC Environment Officer

York & District Trades Union Council

York Local Plan Submission

York & District Trades Union Council represent Trades Unions in the area who collectively represent a substantial proportion of the York working population (and their families). We are gravely concerned about the proposed Local plan on a number of counts and consider it unsound.

Economy & Housing

Plan paras: Sections 2-5

Key Plan Policies: SS1, plus DP1-2, EC1, H1

We recognise that there are close linkages between these two issues, and are extremely concerned that the current plan fails to provide enough housing and particular affordable / social housing for the future, falling massively short of the minimum overall 1070 homes per year requirement the Government's draft 2017 proposals for how housing numbers should be evaluated to take market pressures, which are extreme in York, into account. It also ignores the Council's own officer and independent housing consultants advice for a minimum local housing market uplift on the basic demographic projections. We note that the draft NPPF reflecting the would push this number up even further to 1135. Current house prices and private sector rent levels are already unaffordable for a large section of the population, and underbuilding in future will simply exacerbate this, forcing more low and medium paid workers out of the city if they do not qualify and obtain the limited affordable & social housing. We feel the plan should be amended to deliver at least the Government's estimated minimum 1070 houses a year, and a higher proportion of that total should be delivered as affordable and social housing and stronger policies and/or dedicated land allocations are required to deliver this. The expected percentage of affordable properties should be increased to the top end of the range that the Council's consultants GL Hearn considered deliverable.

We are also concerned that several of the proposed housing sites appear to have been squeezed down in size so far that they will not be able to deliver the full range of community facilities, and the necessary transport infrastructure and good quality public transport links to make them sustainable in the sense of the planning guidance.

All these issues make absolutely clear that the current plans housing proposals unsound against all four tests.

This also links to the York economy, where the cost of housing is already impinging both on companies and public services abilities to recruit staff, but also leading to a major loss of employment sites, especially city centre offices, but also Clifton Moor sites because of the imbalance between site values for employment and housing caused by the housing shortage (and congestion in Clifton Moor's case), and the Government's removal of change of use requirements for office to residential. This reinforces our call to increase housing provision, but also points to the need for the Council to introduce a local plan policy to protect the

residual offices in the city centre / gain an exemption from the Government's relaxation, at least until new offices are provided on the York central site (which we support).

For the same reason we also wish to object to the Council allocating the use of the Army Barracks in the Local Plan for housing needs - they should stick to the Council policy decision to oppose the closures and to protect the around 1600 existing good quality jobs they provide for the City.

Transport & Air Quality

Plan paras: Section 14 & 15, and Transport Topic paper

Plan Policies: T1-9, DM1, SS1

Q5 We consider the Transport section and policies & supporting analysis part of the document to have not been properly prepared, not been justified, and will therefore not be effective. Nor does it appear to have met Government guidance on the preparation of plans as regard identifying mitigation measures and taking their impact into account.

A projected 30% increase in travel time across 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 is simply unacceptable. Whilst there are some measures included in the plan, including those linked to specific sites, they appear to be no overall supporting analysis of what strategic public transport, cycling and walking improvements, and what traffic and demand management measures should be made to mitigate and address the traffic pressures indicated, certainly of the scale required to make a significant impact and to ensure that the city transport system works efficiently and effectively in future. 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 1) 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, 2) local widening of Stonebow if and when Stonebow House and the BT exchange building are redeveloped to provide sufficient space for the bus stops and passing vehicles, 3) creating a bus priority link between Manor Lane & Hurricane Way at Clifton Moor to allow through running of bus services from the currently dreadfully served Rawcliffe area through to Clifton Moor but avoiding the ring road, 4) providing a dedicated bus as well as cycle priority link from the main urban area to the proposed access over the A64 to the new Elvington airfield development (ST15), and the Elvington Airfield Industrial estate (ST26), etc. Reference should also be made to the 2014 Steer, Davies & Gleave York Bus Network Review which doesn't appear to have been taken into account and should have been.

There are many low paid workers who have no alternative to using public transport, and who work on shift and at weekends – what contributions will new developments make to ensuring there are early morning, late evening and 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 of this current plan is that by failing to positively plan for improving public transport, and allowing congestion to increase, it will lead to a

further deterioration in current bus provision, and consequently increases social exclusion and deprivation.

We would also like to see the proposed transshipment depot, CNG fuelling depot at the former County Council highway depot site at Askham Bryan reinstated, to allow better & cleaner city centre deliveries. 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. The important lorry stopover facility at Murton, which benefits drivers who need to stay overnight in York should also be policy protected.

Community facilities and green spaces

Paras Section 6, and 9.14-18, 3.50-68, and 3.95-3.97

Policy HW1-5, HW7, G15, SS12-13, SS21

We are also concerned at the failure of the Council to plan for and ensure balanced communities. We have seen the evaporation of facilities promised through previous planning briefs and masterplans like at Terry's Factory site (SS14) or the current threat of loss to the previously well used playing fields at Lowfields School, St. John's Hull Road and British Sugar (ST1). These should be protected by the Local Plan – off site provision remote from the communities these served and denuding the main urban area of crucial green space is not acceptable as it will reinforce social exclusion of less well off members of the community, and have adverse effects on well being.

We also share the concern that the proposed Elvington airfield (ST15) related development is not big enough to fund a full range of community facilities to make it a self sufficient community, and that is should be larger – helping to provide a new secondary school and more of the housing shortfall we mentioned earlier, and to guarantee a good quality bus service that can also run on to the Airfield employment site (ST26) and Elvington, which currently have no public transport links. The arbitrary reduction in the size of the north of Clifton Moor site (ST14) should also be rejected and the larger previously proposed site reinstated to ensure it is sufficient to fund a full range of community facilities and a dedicated grade separated bus, cycle and walking link across the outer ring road to link it to the employment, retail and leisure facilities immediately south of the ring road.

Sustainability & a Low Carbon Future

Paras Section 11

Policy CC1-3

Given the squeeze on living standards, continuing and growing issues of fuel poverty and the future threat to us all from dangerous climate change, low carbon, sustainable design - working towards zero carbon at the earliest opportunity - is essential for all new developments. We strongly support policies CC1-3 as far as they go. Local renewable energy supply, including wind and solar, should be strongly supported. District heating for York Central and possibly other major development sites should be an essential requirement in the plan. The shift from carbon fuelled transport is another key area in which

progress needs to be made during the plan period to meet the requirements of the Climate Change Act and the additional requirements from the Paris agreement. The Local Plan should set ambitious targets that we will help York be in the vanguard of the move to a Low Carbon economy and the jobs that will generate.

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	Dave	
Last Name	Merrett	
Organisation (where relevant)	York & District Trades Union Council	
Representing (if applicable)	York & District Trades Union Council	
Address – line 1	27 White House Gardens	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5	York	
Postcode	YO24 1DZ	
E-mail Address	Dave.merrett1@hotmail.co.uk	
Telephone Number	07765 558514	

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

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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

YES

Policies Map

YES

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

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)

It appears to comply on these grounds.

What does 'Sound' mean?

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

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

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

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

Yes No

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

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

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

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

(Complete any that apply)

Paragraph no.	<input type="text" value="Various"/>	Policy Ref.	<input type="text" value="SS1, EC1, H1, T1-9 and others as detailed in our attachment"/>	Site Ref.	<input type="text" value="Various"/>
---------------	--------------------------------------	-------------	--	-----------	--------------------------------------

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 expertise and detailed knowledge of our and the trade unionists we represent concerns 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.

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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 or on [01904 554145](tel:01904554145)

Signature Date

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Andrew McGuinness [Andrew.McGuinness@cpt-uk.org]
Sent: 04 April 2018 22:44
To: localplan@york.gov.uk
Subject: CPT Response to York Local Plan
Attachments: CPT Response to York Local plan.docx; Comments_form_FINAL CPT.docx

Dear Sirs,

Please find attached, a response to the Local Plan consultation on behalf of bus and coach operators within CPT membership.

Please respond to me directly should there be any questions or clarifications arising from this response.

Kind Regards

Andrew

Andrew McGuinness
Regional Manager, Northern & Yorkshire Regions, CPT UK

233 Armstrong Road, The Rise, Newcastle-upon-Tyne NE15 6JE
M: 07956 501915 **W:** www.cpt-uk.org

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The Confederation of Passenger Transport UK (CPT) is recognised by the Government as the UK trade body for bus and coach operators with in excess of 90% of bus operators, and 70% of coach operators within its membership. In the wider Yorkshire region we represent over 60 operator members.

Modelling for the Local Plan foresees an increase in traffic of 20% which would mean an additional 7,000 AM peak hour trips. Travel times in the AM peak could increase by 30% with amount of delays increasing by 55%. This would result in buses taking longer to reach their destinations and becoming less attractive, frequencies of services could be adversely affected leading to a vicious circle of declining bus passenger numbers and increasing general traffic.

FirstGroup are of the view that an increase in trip making of this level (with an accompanying increase in bus use) would require capacity enhancements to all of their current York network, which would also require capacity enhancements at many stops in the city - particularly the interchanges in the city centre.

Longer journey times not only affect standard bus services, but also coaches and home to school transport. There are often significant delays on the A1237 in all directions. It is also particularly noticeable that on wet days the traffic is slower and congestion increases.

The historic City of York does not have the advantage of a segregated tram system or underground Metro system so bus and coach remain the mass transit solution for York. Bus and coach priority and keeping both moving is essential to the economic success of York, its businesses and residents. Bus and coach priority can be provided by means of:

- Bus lanes
- Bus gates
- Priority traffic signals
- Bus only routes

We would agree that expenditure should be focused on the City Centre for bus services - but we would also agree that other large travel generators should also have some attention, such as the Hospital and York College, and that they should have some input into the solutions (such as green travel planning) and contribute financially to such solutions, thus setting a principle that those that create the congestion should contribute to the solutions. There is already the ability to introduce work place parking charges, which does not currently appear to be used to any significant extent.

On the existing road network improvements are suggested by the following introductions:

- An ambitious plan for the arterial routes in and out of York to increase capacity to cope with increased traffic volume. This would require reallocation of highway space to buses through bus lanes/ gates (and would need to extend beyond signals manipulation) to ensure buses have fast journey times which can compete with cars.
- Changes at Moor Lane roundabout and grade separating the pedestrian crossing by York College on Tadcaster Road to cut delays

- Bus lanes along Fulford Road – potentially in both directions
- Improving roundabouts on A1237 to improve flow.
- Interventions around the District Hospital/ Crichton Avenue area to improve bus journey times and reliability here
- An underpass for buses from land West of Wigginton (ST14) under the A1237, and improvements made to bus access to Clifton Moor – which currently lacks a quick bus service to York city centre
- A bus/cycle/pedestrian only link across the A64 from ST15 (Elvington) – if this could link could serve the University before coming into York.
- There should also be investment in the city centre, and on its approaches, to reduce the occasions when buses in York spend “the last mile” to the city centre in congestion.

Modal shift has been referenced within new developments but it is also necessary across the whole city to encourage motorists to change to bus or other sustainable forms of travel – to offset increased trip making from new residents of York. Whilst bus operators work in partnership to develop and improve the bus offer, we believe that City of York Council should further encourage modal shift to bus by introducing measures to restrict or prevent car use, specifically:

- Increased parking charges at council owned facilities;
- Introduce a workplace levy for parking spaces;
- Ensure appropriate enforcement on parking restrictions especially in new estates
- Consider support for demand responsive solutions; and
- Consider congestion style road charging.

Bus services must also be reliable in order to achieve the target, in partnership with the local authority bus priority measures and traffic modelling on key commuting corridors should be considered for each proposed development site.

The latest Visit York tourism statistics show tourism has an annual economic impact of £564 million per year, and supports 19,000 jobs in the City of York. Whilst a proportion of this is comprised of coach generated visits, York is a major coach destination for both domestic and international visitors with both markets being heavily coach reliant.

Coach tourism is typically comprised of day and short break visits which are typically non essential visits, but rather visits made for leisure purposes. If traffic and supporting infrastructure becomes a

barrier to this non essential market, visitors and coach operators will elect to visit more accessible locations or look to other options of travel.

Coaches should be considered within any wider public transport plan and included in bus priority measures to speed up journeys. From an air quality point of view emissions per passenger travelling by coach are far below the per passenger figure of travelling by car.

Whilst available land within the City Centre is at a premium in the Centre of historic York, coach parking and facilities should not only be maintained but increased and further developed wherever possible, easily accessible to the places tourists would like to visit. Drop off and pick up facilities near key attractions and facilities can make a useful alternative where coach parking is not possible.

Parking charges for coaches should not be prohibitive and discourage use leading to either coaches not operating, or causing on street issues elsewhere. Major events are a specific example of where coach parking is at a premium, and also charges are at a premium whether coaches are visiting an event or not.

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	Andrew	
Last Name	McGuinness	
Organisation (where relevant)	Confederation of Passenger Transport (CPT)	
Representing (if applicable)	CPT Bus and Coach operator members	
Address – line 1	233 Armstrong Road	
Address – line 2	The Rise	
Address – line 3	Newcastle upon Tyne	
Address – line 4		
Address – line 5		
Postcode	NE15 6JE	
E-mail Address	Andrew.McGuinness@cpt-uk.org	
Telephone Number	07956 501915	

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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 seeking to make a judgement on this question.

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 – more detailed work required to clarify bus issues

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.

Section 14

Policy Ref.

Policy T2

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're disappointed that a Supplementary Planning Document setting out an enhancement plan to York's bus infrastructure does not form part of the consultation documentation for the Local Plan. In our view, significantly more detail needs to be provided in a Supplementary Planning Document about:

- What infrastructure will be provided in the city centre, on the approaches to the city centre and on key bus routes to give buses sufficiently attractive journey times to deliver the envisaged level of mode share, and accommodate the growth in bus trip making which would stem from achieving the 15% mode share from large sites;
- How the Council will ensure that the public transport facilities within sites, linking new sites to the existing urban area (e.g. the underpass from ST14 and bridge from ST15), and revenue support for new bus services, will be provided by developers as part of their planning obligations.

Operators also have a concern that the current Plan makes insufficient provision for allocating space to land uses which could be developed as new bus depots to accommodate the additional buses which are implied by the growth of York and importance of bus services in meeting this growth.

These views are set out in a document accompanying this response.

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 Local Plan should be accompanied by a comprehensive Bus Infrastructure Plan which sets out a deliverable strategy for achieving the levels of bus use envisaged in the Local Plan. This should form a Supplementary Planning Document to the Local Plan, and bus operators should be involved in developing this 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:

The CPT would be happy to participate in the oral examination to expand upon the points made above and in the document submitted alongside this response.

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

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

Part C - How we will use your Personal Information

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Signature

Date

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Kathryn Jukes [k.jukes@directionsplanning.co.uk]
Sent: 04 April 2018 20:59
To: localplan@york.gov.uk
Subject: Representation to the CYC Local Plan Consultation
Attachments: Northminster CYC LP Publication Form 030418.pdf; Northminster CYC LP Publication Rep 040418.pdf

Please find attached our comments submitted on behalf of Northminster Business Park.

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.

Telephone: 01423 525456
Mobile: 07908 666530
Email: k.jukes@directionsplanning.co.uk
Web: www.directionsplanning.co.uk



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**CITY OF YORK LOCAL PLAN
PUBLICATION DRAFT**

CONSULTATION RESPONSE

**PREPARED ON BEHALF OF
NORTHMINSTER BUSINESS PARK**

Prepared By:
Kathryn Jukes BA (Hons) DipTP MRTPI
23 Victoria Avenue
Harrogate
HG1 5RD

Tel: 01423 525456
Mobile: 07908 666530
Email: k.jukes@directionsplanning.co.uk

1.0 INTRODUCTION

- 1.1 Directions Planning Consultancy Ltd has been instructed to review and comment upon the latest draft version of the City of York Local Plan on behalf of the owners of Northminster Business Park at Poppleton. The Park is one of the main key strategic employment sites within the district and it is home to a number of large scale employers mostly falling within Use Class B1, B2 and B8. The Northminster Group are also one of the main developers within York with local involvement going back many decades. To date they have developed both commercial and residential schemes, including securing planning permission recently for a 140-bed hotel on Piccadilly within the centre of York. They are recognised locally for the quality of the development, and a number of their schemes are award winning.
- 1.2 Our comments relate to the Publication Draft February 2018 Local Plan and associated evidence base. Wherever possible, we have referred to the policies and paragraph numbers within the documents to which our comments relate.

2.0 POLICY DP1: YORK SUB AREA

- 2.1 Policy DP1 sets out how the aim of the Local Plan will be to ensure that (iii) the housing needs of City of York's current and future population including that arising from economic and institutional growth will be met within the York local authority area. Also, how York will fulfil its role as a key economic driver within the Leeds City Region and the York, North Yorkshire and East Riding LEP areas. However, reading the actual detail of the Local Plan policies and the Sustainability Appraisal it is clear that the Local Plan fails to deliver either expectation.
- 2.2 In relation to delivering housing needs, the Government published a Consultation Document in September 2017 which included the Housing Needs Consultation Data Table. The Document identified the housing need figure of 1070 dwellings per annum (dpa) in the case of York for the period between 2016 and 2026. This figure is greater than the annual housing need identified by GL Hearn in the SHMA Update from 2017, which suggested 953 dpa based on 867 per annum plus a 10 percent adjustment to include provision of affordable housing. The 867 dpa used by GL Hearn as the basis for their recommended annual figure was derived from the MHCLG Baseline July 2016 Household Projections.
- 2.3 Given the 867 dpa is a baseline figure before any adjustments have been made for local circumstances and the Government calculated housing need to be 1070 dpa based on a standard methodology for objectively assessing housing need then it would naturally follow that the actual housing need would, as a minimum, sit somewhere in between. However, the Council has ignored the Government's standardised methodology and the advice from its own consultants to make an adjustment to address affordable housing. In doing so, the Sustainability Appraisal (page8) concludes that the Local Plan will cause negative effects in the long term with reference to the employment, education and housing objectives of the Plan.
- 2.4 Consequently, the strategy of the Plan cannot be considered to deliver criterion (iii) of Policy DP1 as over the life of the Plan the strategy will not ensure housing needs are met. Instead, the strategy of the Plan will only serve to stifle the delivery of much needed new houses to meet identified need in accordance with the Government's and Council's own objectively

assessed housing need. On this basis, the Plan can only be found to be unsound because it has not been positively prepared to support growth and it will not be effective in addressing housing need.

- 2.5 The NPPF makes clear under paragraph 157 how Local Plans are expected to plan positively for development that is required to deliver the objectives, principles and policies of the Framework. To this end, paragraph 47 sets out how local planning authorities should boost significantly the supply of houses. Paragraph 50 then makes clear how local planning authorities should plan to deliver a wide choice of homes, including a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Clearly, if the housing supply is to be suppressed by not planning for enough houses to meet housing needs and the need to augment the annual target by 10 percent to deliver affordable houses has been rejected then we cannot see how the Plan can be considered to significantly boost the supply of houses in accordance with the NPPF.
- 2.6 If the Plan is to be found sound then the annual housing target will at least need to be increased to at least 867 plus 10 percent as recommended by GL Hearn. We would however suggest that to do so would still not significantly boost housing supply and so for the Plan to accord with paragraph 47 of the NPPF then the Government's objectively assessed housing needs figure, as set out in their consultation paper should be used as the basis for the housing target instead.

3.0 POLICY SS1: DELIVERING SUSTAINABLE GROWTH FOR YORK

- 3.1 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.
- 3.2 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 for 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 (2018) 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 figure only meets the CLG baseline growth rather than objectively assessed housing need or that anticipated in Government consultations (MHCLG, 2017).
- 3.3 The Plan is clearly unsound and is not in conformity with paragraphs 156 and 157 because it fails to deliver the homes required to meet identified need, and by constraining growth below required levels 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 as well. 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.

- 3.4 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 SINC 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. The emphasis of Policy YH9 as set out in the Regional Spatial Strategy (2008) is in maintaining the general extent. This is recognised as being represented by a 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 purpose of Green Belt policy and also the objectives of protecting the historic character of the City.
- 3.5 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 dpa 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.
- 3.6 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 that is consistent with the NPPF.
- 3.7 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.

3.8 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 within the Sustainability Appraisal (2018) where:

- ST5: York Central (to accommodate approximately 1,700 dwellings of which 1,500 will be delivered after the plan period between 2033 and 2038);
- ST9: Land North of Haxby (to accommodate approximately 735 dwellings of which 93 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 348 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).

3.9 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.

3.10 There is also not 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.

4.0 POLICY SS2: THE ROLE OF YORK'S GREEN BELT

4.1 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.

4.2 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, but yet to be drafted strategy.

4.3 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 Council could simply have used

the provisions set out in the NPPF 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.

- 4.4 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 appears to have changed their mind at a subsequent stage, but in doing so the Plan is now considered to be unsound.
- 4.5 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. For reference, a 30-year period is consistent with the approach taken elsewhere, including Wilmslow, Kirklees, Bradford and Calderdale. By setting such a short time frame the City of York Local 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.
- 4.6 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.
- 4.7 There is simply no justification for the Council's alternative 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.
- 4.8 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. In earlier versions of the Plan the Council had identified safeguarded land, including Land adjacent to Northminster Business Park and Elvington Airfield Business

of Park. To this end, the Council identified how the land did not serve the purposes of Green Belt and it was unnecessary to keep the land open and so the land was excluded from the Policy designation, but not specifically allocated for development. It is therefore inconsistent the Council to now suggest the land does fulfil Green Belt purposes and should no longer be safeguarded when it had previously concluded that there was no need to designate the land as Green Belt to keep it permanently open in accordance with Paragraph 85 of the NPPF. We do not believe that circumstances have changed and the land mentioned now needs to be kept permanently open. On this basis, land identified in previous versions as safeguarded land should be identified again, especially as to do so would be a sound approach, unlike the Council's current approach.

4.9 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 is 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.

4.10 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 the Green Belt in the long term. The Plan is therefore also unsound because it has not been prepared in accordance with the NPPF.

5.0 POLICY SS4: YORK CENTRAL

5.1 The latest version of the Local Plan allocates under reference ST5 between 1,700 and 2,500 dwellings and 100,000m² 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 61,000m² 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.

5.2 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 before. We question whether this is actually achievable given the known constraints.

5.3 It is of grave 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) on the 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 15th December 2015).

- 5.4 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 also 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 compulsory 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.

6.0 POLICY SS23: LAND AT NORTHMINSTER BUSINESS PARK

- 6.1 We are both disappointed and concerned that our previous comments have been ignored in relation to amending the Policy. Our greatest concern is that the Policy is not explicit in what will be required from development, which means it is open to interpretation and it will not be effective in providing an appropriate framework for the determination of future planning applications.

7.0 ST19 / SS23: LAND AT NORTHMINSTER BUSINESS PARK

- 7.1 We welcome the allocation of Land at Northminster Business Park to support the continued expansion of the well-established Business Park. The Business Park is an important base for economic activity within the district. It provides much needed space for a range of businesses that require access to the strategic road network and cannot be accommodated within the City Centre due to their scale or the nature of the operations.
- 7.2 Previous representations to earlier stages of the Local Plan process set out how the supply of land for B1, B2 and B8 Uses is currently frustrated by the Local Plan process due to the lack of available land for businesses to accommodate outside of the general extent of the Green Belt. The amount of land required to meet pent up demand should not be underestimated. We are therefore supportive of the current extent of the proposed allocation within this version of the Local Plan. However, it is concerning to learn that the Council does not intend to safeguard land in order to provide expansion for further growth into the next Plan period. As one of the strategic locations for employment then demand for space on the business park will continue to expand beyond the extent currently developed and allocated. Space for future growth therefore needs to be planned, and the Local Plan is the appropriate framework in which to provide the strategy for expansion.

- 7.3 In relation to the criteria set out under Policy SS23, we feel that criteria (i) and (ii) are too general to provide any real guidance at the planning application stage. Criterion (i) simply repeats the premise behind the actual allocation of the land. The Policy already states how much space is to be allocated and the Use Classes to be permitted, so what does "provide for a sustainable Business Park to help meet the City's employment needs..." and "...ensuring that its composition reflects the economic vision of York" add to the listing of land uses to be allowed? In order for the Policy to be found sound then the criterion either needs to be rewritten to make clear what is actually meant or else deleted because it does not add any real guidance to help inform the drafting of a planning application, and so it will not be effective.
- 7.4 Likewise, criterion (ii) also lacks any substance that is useful to shaping development. What exactly does "develop a comprehensive scheme which is linked to the existing Business Park" mean? Is it in reference to the land use, site layout, a masterplan or something else? The explanation actually provides no hint as to the meaning either. We would therefore suggest the criterion should be deleted given it is unhelpful, and the Policy is currently ineffective as drafted.
- 7.5 The Business Park is within walking distance of the Park & Ride, and there is already a pavement linking the Business Park to the Park & Ride, so we are of the opinion that criterion (iv) is superfluous and unnecessary within the existing circumstances. Employees at the existing Business Park already walk to the Park & Ride or else Poppleton train station, and the proposed development will have access to the same walking route, so there really is no need for this criterion. Also other policies in the Plan encourage the provision of cycle parking, so we believe the criterion should be deleted in order for the Policy to be found sound. It should be noted that the NPPF would require a transport assessment or statement to accompany any planning application so there is no need for the National Policy requirement to be repeated within Policy SS23.
- 7.6 In addition, the purpose of criterion (iv) is repeated by criterion (v), which also addresses sustainable modes of transport.
- 7.7 In relation to criterion (v), as written, it is unclear in what it is attempting to secure as the wording suggests routes a lot more onerous than what are actually necessary. Why not just say 'pedestrian, cycle and vehicle routes will be provided on the allocated land to compliment the present Park network'? The meaning of this criterion, just as with previous criterion within the Policy, is lost due to the way they have been written.
- 7.8 With regards to criterion (vi) there appears to be a tension between "mitigate and screen the development" and "providing an appropriate relationship with the surrounding landscape." If screening is provided then it usually severs any relationship with the surrounding area, so how is it possible to screen the development and provide an appropriate relationship with the surrounding landscape at the same time? For the Policy to be found sound, the criterion should be rewritten in order to make clear the meaning or simply deleted given a landscaping scheme would accompany a planning application irrespective of any criteria within Policy SS23.

7.9 Overall, we consider the Policy as currently drafted to be ineffective and potentially open to misinterpretation due to the ambiguous nature of the criteria. We therefore believe the Policy needs to be amended as per our comments in order for it to be found sound.

8.0 POLICY EC1: PROVISION OF EMPLOYMENT LAND

8.1 Table 4.1 sets out the employment land requirement up to 2038. Given our comments in relation to the need to increase the housing target in response to the Government's growth agenda then we believe that the amount of employment land allocated under Policy EC1 will also need to increase to support the level of housing growth. This is in order for the two targets to correspond if they are to support the same level of growth and be consistent with the strategy set out in the Local Plan. Previous versions of the Local Plan allocated 46ha of employment land in conjunction with a higher level of housing growth, which we consider to be a more appropriate amount of land to allocate in support of the strategy set out in the Local Plan. Also, in support of the role of York as one of the key cities within the region and a centre with ambitions for growth.

8.2 The need for land is, however, not just driven by growth. Additional land is also required to create flexibility and churn within the market in support of the existing economy. This point has been made by both the York and North Yorkshire Chambers of Commerce and Make it York who both recognise how York will lose out on investment from existing businesses and new companies if flexibility is not accounted for within the land supply (Paragraph 4.2, Employment Land Review Update, 2017). This point is also made within the Report attached prepared by Briggs Burley, and it is one of the reasons why we believe Elvington Airfield Business Park needs to have additional capacity for development within the Plan period beyond the land currently allocated under Policy SS21 and shown on the Proposals Map.

8.3 Currently, we believe Policy EC1 to be unsound because it is not consistent with the Government's agenda for growth, as insufficient land is to be allocated to meet market demand. The Employment Land Review appears to focus on projections and forecast and does not give enough emphasis to market demand. In particular, the supply target fails to recognise the level of flexibility and churn required to allow the existing companies within York to expand and grow in addition to inward investment from new companies. The growth of Elvington Airfield Business Park in response to market demand is an example where growth will be heavily constrained by the Local Plan. If growth is suppressed then in turn the economic role of York within the region will not be fulfilled, which will mean the Plan is not effective in helping to deliver economic growth in accordance with the objectives and purposes of the NPPF.

8.4 In order for the Policy and the Plan to be found sound we believe the supply of employment land should be increased.

9.0 POLICY H5: GYPSIES AND TRAVELLERS

9.1 Policy H5 includes criterion (b) which refers to "applications for larger development sites of 5ha or more with be required to..." We wish to object to this sentence on the basis that it is not clear as to whether the requirement applies to all strategic allocations in the Local Plan

over 5 ha in size. Without clarity as to why reference is made to larger development sites over 5 ha then the Policy is unsound because it cannot be effective.

- 9.2 Criterion (b) does not make clear whether the requirement relates to all strategic allocations, or just those that include an element of residential development. We cannot imagine that the policy is expected to apply, for example, to ST5, ST19, ST26, which are all employment sites.
- 9.3 To require Gypsy and Traveller pitches on sites intended for B2 manufacturing processes would create a conflict between land uses that would be wholly undesirable.
- 9.4 We have made this same point at earlier stages of the Local Plan process and so we are most concerned that our comment has been ignored. Especially as it is such a minor amendment to make that would actually make an awful lot of difference to the clarity of the Plan.
- 9.5 For Policy H5 to be found sound it needs to be amended so the wording is not open to misinterpretation.

10.0 POLICY CC2: SUSTAINABLE DESIGN AND CONSTRUCTION OF NEW DEVELOPMENT

- 10.1 We appreciate the Council's aspiration to promote sustainable design and construction, but we are of the opinion that it is unreasonable to require non-residential buildings over 100m² to achieve BREEAM 'Excellent'. Currently, only 10% of UK new non-domestic buildings achieve at least 'Excellent' due to how difficult it is to achieve this level. Even 'Very Good' is hard to achieve, which is evidenced by how only 25% of new non-domestic buildings achieve this rating or higher. It is therefore considered unreasonable to require all non-domestic buildings over 100m² to score at least 70% on the BREEAM rating.
- 10.2 We have recently had an incident where a number of commercial buildings were erected that struggled to even achieve good for a number of reasons, including how they did not need to be insulated for use by the owner and the building material performed poorly. To have increased the specification of the building simply to gain BREEAM very good is of no benefit to the owner of the building given the nature of the business. Also, the process became incredibly expensive given a flood risk assessment, travel plan and ecology report had to be prepared that had not been required as part of the planning application process.
- 10.3 Requiring such a high rating of all non-residential buildings with floorspace of a mere 100m² will simply act as a barrier to investment within the district, especially as neighbouring districts are currently seeking 'Very Good' within adopted Local Plans, including Harrogate Borough Council where 'Very Good' is required for buildings greater than 500 sq. m. We therefore believe that the Plan is currently unsound as it will not be effective given the Policy detrimentally affects viability and the deliverability of sites. In turn this will have repercussions for the economy and levels of investment. Also, there is no justification to require such a high rating.
- 10.4 For the Policy to be found sound then the requirements of Policy CC2 need to be revised to require the 'Very Good' level of BREEAM.

11.0 IN SUMMARY

- 11.1 We are most concerned that throughout the Local Plan drafting process our comments have largely been ignored by the Council despite the valid points we have raised. In particular, with reference to the criteria that address the delivery of specific allocations, the drafting errors and where the Plan is open to misinterpretation. We see no reason why the Plan could not have been amended to make sure Policies are clearly expressed for the benefit of the reader, especially given the purpose of the Plan is to provide a framework for the determination of planning applications. If the users of the document are unsure of the meaning of policies then the Plan does not fulfil its purpose.
- 11.2 We strongly believe the Plan as currently drafted is simply unsound given how it does not conform with the NPPF both in terms of the way in which the strategy has been drafted and in response to the policy requirements of the Framework. To constraint growth below the level required to respond positively to housing and employment need, and in particular affordable housing need, is inexcusable. Especially, when the Council has had the benefit of advice from consultants who have advised a number of local planning authorities on the drafting of Local Plans. We feel the only way forward is for the Plan to be found unsound given the current failings of the Plan.

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		Ms
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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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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	X
Policies Map	
Sustainability Appraisal/Strategic Environmental Assessment	X

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

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.Please see the
attached letterPolicy
Ref.Please see the
attached letter

Site Ref.

Please see the
attached letter**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 the attached letter

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



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

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

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

Please see the attached letter

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

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

Yes, I wish to appear at the examination

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

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

To explain to the Inspector why the Plan is unsound as currently drafted

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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Signature



Date 03/04/2018

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Kathryn Jukes [k.jukes@directionsplanning.co.uk]
Sent: 04 April 2018 21:00
To: localplan@york.gov.uk
Subject: Representation to CYC Local Plan Consultation
Attachments: JRHT CYC LP Publication 040418.pdf; JRHT CYC LP Publication Consultation Rep 040418.pdf

Please find attached our comments submitted on behalf of JRHT.

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.

Telephone: 01423 525456
Mobile: 07908 666530
Email: k.jukes@directionsplanning.co.uk
Web: www.directionsplanning.co.uk



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

OFFICE USE ONLY:

ID reference:

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

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

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

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

Part A - Personal Details

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

1. Personal Details		2. Agent's Details (if applicable)
Title		Ms
First Name		Kathryn
Last Name		Jukes
Organisation (where relevant)	Joseph Rowntree Housing Trust	Directions Planning Consultancy Ltd
Representing (if applicable)	C/o Agent	
Address – line 1		23 Victoria Avenue
Address – line 2		Harrogate
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		HG1 5RD
E-mail Address		k.jukes@directionsplanning.co.uk
Telephone Number		01423 525456 / 07908 666530

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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 to add.

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.**G15**

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 representation.

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



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

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 representation.

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

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

Yes, I wish to appear at the examination

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

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

We would like the opportunity to discuss in further detail the points made in the representation.

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

4th April 2018

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

4th April 2018
JRHT CYC LP Publication Consultation Rep 040418.doc

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

Kathryn Jukes BA (Hons) DipTP MRTPI
E: k.jukes@directionsplanning.co.uk
T: 01423 525456
M: 07908 666530

23 Victoria Avenue
Harrogate
North Yorkshire
HG1 5RD

www.directionsplanning.co.uk

Sent via email only

Dear Sir/ Madam

**CITY OF YORK LOCAL PLAN
PUBLICATION DRAFT CONSULTATION RESPONSE
PREPARED ON BEHALF OF JOSEPH ROWNTREE HOUSING TRUST**

We have been instructed by JRHT to submit comments in response to the Council's current consultation on the Publication Draft Local Plan.

Policy GI5 – Not Justified, Not Effective

On the Proposals Map, the land to be protected by Policy GI5 is annotated to make clear the land to which the Policy applies. Within the village of New Earswick, certain areas of land have been identified as being the subject of Policy GI5, including land to the west of Red Lodge off Haxby Road, south of Limetree Avenue and north of the car parking serving the Folk Hall. This area of land has been the subject of a planning application to develop a new care home with independent living accommodation. The planning application also included proposals for the relocation of the MUGA and tennis club facilities to other locations within New Earswick.

As a consequence of the permission that was granted under reference 15/00758/FULM, the current extent of open space within this central area to the village is to be altered. Construction on site, referred to as 'New Lodge' is now underway and is expected to complete in January 2021. Consequently, it would be sensible for the Local Plan Proposals Map to show the extent of the open space incorporated into the development given construction is likely to be near completion (or even completed) by the time the Local Plan has been adopted and permission has been granted for the work. If the development is ignored then the Local Plan will be out of date before it is even published.

In its current form, the Proposals Map is not sound as it is not justified or effective. There is currently a conflict between what has been permitted and under construction, and what is showing on the Proposals Map. In order to ensure the Proposals Map is sound and accurately reflects the situation on the ground we suggest that the open space designation is removed from this area of land to reflect the approved plan which is appended to this representation. We would kindly request the Local Plan Proposals Map is updated to reflect the approved scheme.

We have included a drawing showing the approved scheme. Please note the open space will be limited to the inverted 'T' of green within the central area of the site, plus the area shaded blue. The blue shading represents a children's playground. Please note, the area of green to the west of the site is a private garden to serve Block 1 and so it is not available to the public.

Should the change not be made, land that is being built upon would be designated as open space, which is clearly in conflict with the built development on the ground and the land would not fulfil its designated purpose as open space.

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 and whether the Council has taken the consultation process seriously.

We would be happy to discuss our comments which relate to the policies contained within the Publication Draft Plan and our specific comments made in respect of 'New Lodge' and the suggested alteration to the Proposals Map.

Yours faithfully



Kathryn Jukes BA (Hons) DipTP MRTPI
Director

Enc.

PLAN SHOWING THE EXTENT OF OPEN SPACE APPROVED UNDER APPLICATION 15/00758/FULM



Note: Do not scale off this drawing. Do not rely on the drawing for construction data that is not stated. Please check the drawing with all project related authorities and all specified information including design and construction. Contractors must be familiar with the client's building standards together with all other relevant information on the drawing.

The information contained within this drawing corresponds with information provided to HLP by:

PPP Architects
 Approved On: 21.07.14
 JPH (Site Plan) 15/07/14

Refer to drawings by others for architectural information, lighting, levels, drainage and services

Halsall Lloyd Partnership
 ARCHITECTS & DESIGNERS

Public Realm Design

JRHT
 New Barwick for All Ages, Vork

2576105101 | 01509 549114 | www.hlpdesign.com

From: Kathryn Jukes [k.jukes@directionsplanning.co.uk]
Sent: 04 April 2018 21:09
To: localplan@york.gov.uk
Subject: Representation to CYC Local Plan Consultation
Attachments: ABC CYC LP Publication Form 040418.pdf; ABC CYC LP Publication Rep 040418.pdf

Please find attached our comments submitted on behalf of Askham Bryan College.

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.

Telephone: 01423 525456
Mobile: 07908 666530
Email: k.jukes@directionsplanning.co.uk
Web: www.directionsplanning.co.uk



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**CITY OF YORK LOCAL PLAN
PUBLICATION DRAFT**

CONSULTATION RESPONSE

**PREPARED ON BEHALF OF
ASKHAM BRYAN COLLEGE**

Prepared By:
Kathryn Jukes BA (Hons) DipTP MRTPI
23 Victoria Avenue
Harrogate
HG1 5RD

Tel: 01423 525456
Mobile: 07908 666530
Email: k.jukes@directionsplanning.co.uk

1.0 INTRODUCTION

- 1.1 Directions Planning Consultancy Ltd has been instructed to review and comment on the Publication Draft version of the City of York Local Plan on behalf of Askham Bryan College.
- 1.2 Our comments relate to the Publication Draft Consultation document, and the associated evidence base. Wherever possible, we have referred to the policies and paragraph numbers within the documents to which our comments relate.

2.0 POLICY DP1: YORK SUB AREA – NOT POSITIVELY PREPARED, NOT JUSTIFIED AND NOT CONSISTENT WITH NATIONAL POLICY

- 2.1 Policy DP1 sets out how the aim of the Local Plan will be to ensure that (iii) the housing needs of City of York's current and future population including that arising from economic and institutional growth will be met within the York local authority area. Also, how York will fulfil its role as a key economic driver within the Leeds City Region and the York, North Yorkshire and East Riding LEP areas. However, reading the actual detail of the Local Plan policies and the Sustainability Appraisal it is clear that the Local Plan fails to deliver either expectation.
- 2.2 In relation to delivering housing needs, the Government published a Consultation Document in September 2017 which included the Housing Needs Consultation Data Table. The Document identified the housing need figure of 1070 dpa in the case of York for the period between 2016 and 2026. This figure is greater than the annual housing need identified by GL Hearn in the SHMA Update from 2017, which suggested 953 dpa based on 867 per annum plus a 10 percent adjustment to include provision of affordable housing. The 867 dpa used by GL Hearn as the basis for their recommended annual figure was derived from the MHCLG Baseline July 2016 Household Projections.
- 2.3 Given the 867 dpa is a baseline figure before any adjustments have been made for local circumstances and the Government calculated housing need to be 1070 dpa based on a standard methodology for objectively assessing housing need then it would naturally follow that the actual housing need would, as a minimum, sit somewhere in between. However, the Council has ignored the Government's standardised methodology and the advice from its own consultants to make an adjustment to address affordable housing. In doing so, the Sustainability Appraisal (page 8) concludes that the Local Plan will cause negative effects in the long term with reference to the employment, education and housing objectives of the Plan.
- 2.4 Consequently, the strategy of the Plan cannot be considered to deliver criterion (iii) of Policy DP1 as over the life of the Plan the strategy will not ensure housing needs are met. Instead, the strategy of the Plan will only serve to stifle the delivery of much needed new houses to meet identified need in accordance with the Government's and Council's own objectively assessed housing need. On this basis, the Plan can only be found to be unsound because it has not been positively prepared to support growth and it will not be effective in addressing housing need.
- 2.5 The NPPF makes clear under paragraph 157 how Local Plans are expected to plan positively for development that is required to deliver the objectives, principles and policies of the Framework. To this end, paragraph 47 sets out how local planning authorities should boost

significantly the supply of houses. Paragraph 50 then makes clear how local planning authorities should plan to deliver a wide choice of homes, including a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Clearly, if the housing supply is to be suppressed by not planning for enough houses to meet housing needs and the need to augment the annual target by 10 percent to deliver affordable houses has been rejected then we cannot see how the Plan can be considered to significantly boost the supply of houses in accordance with the NPPF.

- 2.6 If the Plan is to be found sound then the annual housing target will at least need to be increased to at least 867 plus 10 percent as recommended by GL Hearn. We would however suggest that to do so would still not significantly boost housing supply and so for the Plan to accord with paragraph 47 of the NPPF then the Government's objectively assessed housing needs figure, as set out in their consultation paper should be used as the basis for the housing target instead.
- 2.7 We support objective (iv) and reference to the Council supporting the further success of higher and further education institutions. The support is very much welcomed given the expansion plans Askham Bryan College are currently in the process of implementing, in advance of pursuing further growth plans in the future.

3.0 POLICY H1: HOUSING ALLOCATIONS – NOT POSITIVELY PREPARED, NOT EFFECTIVE AND NOT CONSISTENT WITH NATIONAL POLICY

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 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.

- 3.5 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 ST12 'Land at Manor Heath, Copmanthorpe', which had been identified as an allocation within a previous iteration of the Local Plan (Further Sites Consultation April 2014) should be considered for allocation. We understand the only reason the allocation was subsequently deleted is because the Council reduced the housing target. Given the need to increase the housing target then we would kindly request the site is allocated again.
- 3.6 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.

4.0 POLICY ED7: YORK COLLEGE AND ASKHAM BRYAN COLLEGE

- 4.1 We welcome the recognition within the Plan, within paragraph 1.57, Policy DP1 and Policy ED7, of the contribution Askham Bryan College makes to economic growth, addressing imbalances in the demographics of the district, and creating a quality educational offer within York. The College has been implementing a programme of expansion over the last few years, which is to continue for the foreseeable future in order to support a growing demand from an increasing number of students to attend the College. There is also demand for a greater variety of courses and learning experiences, plus the College is focused on extending the current programme of wildlife conservation. The wording of Policy ED7 is therefore supported.
- 4.2 However, we remain concerned with the extent of the designation shown on the Proposals Map, which we feel is out of date given the planning permissions that have been granted over the last few years and the actual extent of development on the College's campus.
- 4.3 In particular, the area shown on the Proposals Map between the yellow shading and the A64 now has planning permission for the erection of additional animal shelters under application reference 16/01095/FUL. These buildings have now been constructed and are of a permanent nature. There are proposals to extend the number of animal houses in the future. It would therefore be sensible to amend the Proposals Map to reflect the situation on the ground. The area is an important teaching resource for students, because it provides them with the opportunity to learn, and care, for a wide variety of species. It also provides an opportunity for schools to access the teaching resource. This area is, therefore, an important element of the existing teaching facilities of the College, and so it should be included within the extent of the campus designation shown on the Proposals Map.

5.0 NEXT STEPS

- 5.1 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 as there is no evidence that any have been taken into consideration.

- 5.2 In its current form, we have serious concerns in relation to the overall soundness of the Plan and we strongly believe it to be unsound for the reasons set out in this representation.

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		Ms
First Name		Kathryn
Last Name		Jukes
Organisation (where relevant)	Askham Bryan College	Directions Planning Consultancy Ltd
Representing (if applicable)		Askham Bryan College
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		k.jukes@directionsplanning.co.uk
Telephone Number		01423 525456 / 07908 666530

Guidance note

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- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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 to add.

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.

DP1, H1, ED7

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 representation.

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



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

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 representation.

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

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

Yes, I wish to appear at the examination

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

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

We would like the opportunity to discuss in further detail the points made in the representation.

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.¹

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.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

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.³

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 or on [01904 554145](tel:01904554145)

Signatur



Date

4th April 2018

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Kathryn Jukes [k.jukes@directionsplanning.co.uk]
Sent: 04 April 2018 21:58
To: localplan@york.gov.uk
Subject: FW: Representation to CYC Local Plan Consultation
Attachments: Birch CYC LP Publication Form 030418.pdf; Birch CYC LP Publication Rep 040418.pdf; Burley Planning Report Jan 2014.pdf; ABP Masterplan v2.pdf; Victor Court report.pdf

The representation we sent earlier on behalf of W Birch & Sons should have been accompanied with a number of reports. Please delete the previous email (copied below) and use this email instead as the basis of our representation.

Many thanks
Kathryn

Kathryn Jukes
Directions Planning Consultancy Ltd

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

Telephone: 01423 525456
Mobile: 07908 666530
Email: k.jukes@directionsplanning.co.uk
Web: www.directionsplanning.co.uk



 Before printing, think about the environment

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Directions Planning Consultancy Ltd. Registered in England & Wales No. 7455434. VAT Registration No: 250 3137 46. Registered office: 23 Victoria Avenue, Harrogate, HG1 5RD.

From: Kathryn Jukes
Sent: 04 April 2018 21:01
To: 'localplan@york.gov.uk'
Subject: Representation to CYC Local Plan Consultation

Please find attached our comments submitted on behalf of W Birch & Sons Ltd.

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.

Telephone: 01423 525456
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**CITY OF YORK LOCAL PLAN
PUBLICATION DRAFT**

CONSULTATION RESPONSE

**PREPARED ON BEHALF OF
WILLIAM BIRCH & SONS LIMITED**

Prepared By:
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1.0 INTRODUCTION

- 1.1 Directions Planning Consultancy Ltd has been instructed to review and comment upon the latest draft version of the City of York Local Plan on behalf of William Birch & Sons Limited, who are the owners of Elvington Airfield Business Park. The Park is one of the key strategic employment sites within the district and it is home to a number of large scale employers mostly falling within Use Class B2 and B8. It is also home to The Yorkshire Air Museum. As such, it is an important source of employment within the district.
- 1.2 Our comments relate to the Publication Draft February 2018 Local Plan and associated evidence base. Wherever possible, we have referred to the policies and paragraph numbers within the documents to which our comments relate.

2.0 POLICY DP1: YORK SUB AREA

- 2.1 Policy DP1 sets out how the aim of the Local Plan will be to ensure that (iii) the housing needs of City of York's current and future population including that arising from economic and institutional growth will be met within the York local authority area. Also, how York will fulfil its role as a key economic driver within the Leeds City Region and the York, North Yorkshire and East Riding LEP areas. However, reading the actual detail of the Local Plan policies and the Sustainability Appraisal it is clear that the Local Plan fails to deliver either expectation.
- 2.2 In relation to delivering housing needs, the Government published a consultation document in September 2017 which included the Housing Needs Consultation Data Table. The document identified the housing need figure of 1070 dwellings per annum (dpa) in the case of York for the period between 2016 and 2026. This figure is greater than the annual housing need identified by GL Hearn in the SHMA Update from 2017, which suggested 953 dpa based on 867 per annum plus a 10 percent adjustment to include provision of affordable housing. The 867 dpa used by GL Hearn as the basis for their recommended annual figure was derived from the MHCLG Baseline July 2016 Household Projections.
- 2.3 Given the 867 dpa is a baseline figure before any adjustments have been made for local circumstances and the Government calculated housing need to be 1070 dpa based on a standard methodology for objectively assessing housing need then it would naturally follow that the actual housing need would, as a minimum, sit somewhere in between. However, the Council has ignored the Government's standardised methodology and the advice from its own consultants to make an adjustment to address affordable housing. In doing so, the Sustainability Appraisal (page8) concludes that the Local Plan will cause negative effects in the long term with reference to the employment, education and housing objectives of the Plan.
- 2.4 Consequently, the strategy of the Plan cannot be considered to deliver criterion (iii) of Policy DP1 as over the life of the Plan the strategy will not ensure housing needs are met. Instead, the strategy of the Plan will only serve to stifle the delivery of much needed new houses to meet identified need in accordance with the Government's and Council's own objectively assessed housing need. On this basis, the Plan can only be found to be unsound because it has not been positively prepared to support growth and it will not be effective in addressing housing need.

- 2.5 The NPPF makes clear under paragraph 157 how Local Plans are expected to plan positively for development that is required to deliver the objectives, principles and policies of the Framework. To this end, paragraph 47 sets out how local planning authorities should boost significantly the supply of houses. Paragraph 50 then makes clear how local planning authorities should plan to deliver a wide choice of homes, including a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. Clearly, if the housing supply is to be suppressed by not planning for enough houses to meet housing needs and the need to augment the annual target by 10 percent to deliver affordable houses has been rejected then we cannot see how the Plan can be considered to significantly boost the supply of houses in accordance with the NPPF.
- 2.6 If the Plan is to be found sound then the annual housing target will at least need to be increased to at least 867 plus 10 percent as recommended by GL Hearn. We would however suggest that to do so would still not significantly boost housing supply and so for the Plan to accord with paragraph 47 of the NPPF then the Government's objectively assessed housing needs figure, as set out in their consultation paper should be used as the basis for the housing target instead.

3.0 POLICY SS1: DELIVERING SUSTAINABLE GROWTH FOR YORK

- 3.1 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.
- 3.2 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 for 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 (2018) 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 figure only meets the CLG baseline growth rather than objectively assessed housing need or that anticipated in Government consultations (MHCLG, 2017).
- 3.3 The Plan is clearly unsound and is not in conformity with paragraphs 156 and 157 because it fails to deliver the homes required to meet identified need, and by constraining growth below required levels 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 as well. 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.

- 3.4 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. The emphasis of Policy YH9 as set out in the Regional Spatial Strategy (2008) is in maintaining the general extent. This is recognised as being represented by a 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 purpose of Green Belt policy and also the objectives of protecting the historic character of the City.
- 3.5 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 dpa 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.
- 3.6 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 that is consistent with the NPPF.
- 3.7 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.

3.8 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 within the Sustainability Appraisal (2018) where:

- ST5: York Central (to accommodate approximately 1,700 dwellings of which 1,500 will be delivered after the plan period between 2033 and 2038);
- ST9: Land North of Haxby (to accommodate approximately 735 dwellings of which 93 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 348 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).

3.9 What is of most concern is how the Council plans to allocated 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.

3.10 There is also not 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.

4.0 POLICY SS2: THE ROLE OF YORK'S GREEN BELT

4.1 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.

4.2 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, but yet to be drafted strategy.

4.3 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 Council could simply have used the provisions set out in the NPPF 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.

- 4.4 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 appears to have changed their mind at a subsequent stage, but in doing so the Plan is now considered to be unsound.
- 4.5 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. For reference, a 30 year period is consistent with the approach taken elsewhere, including Wilmslow, Kirklees, Bradford and Calderdale. By setting such a short time frame the City of York Local 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.
- 4.6 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.
- 4.7 There is simply no justification for the Council's alternative 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 4.7 paragraph 85 of the NPPF.
- 4.8 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. In earlier versions of the Plan the Council had identified safeguarded land, including land adjacent to Northminster Business Park and Elvington Airfield Business Park. To this end, the Council identified how the land did not serve the purposes of Green Belt and it was unnecessary to keep the land open and so the land was excluded from the policy designation, but not specifically allocated for development. It is therefore inconsistent of the Council to now suggest the land does fulfil Green Belt purposes and should no longer be

safeguarded when it had previously concluded that there was no need to designate the land as Green Belt to keep it permanently open in accordance with paragraph 85 of the NPPF. We do not believe that circumstances have changed and the land mentioned now needs to be kept permanently open. On this basis, land identified in previous versions as safeguarded land should be identified again, especially as to do so would be a sound approach, unlike the Council's current approach.

- 4.9 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 is 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.
- 4.10 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 the Green Belt in the long term. The Plan is therefore also unsound because it has not been prepared in accordance with the NPPF.

5.0 POLICY SS4: YORK CENTRAL

- 5.1 The latest version of the Local Plan allocates under reference ST5 between 1,700 and 2,500 dwellings and 100,000m² 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 61,000m² 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.
- 5.2 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 before. We question whether this is actually achievable given the known constraints.
- 5.3 It is of grave 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) on the 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 15th December 2015).

- 5.4 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 also 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 compulsory 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.

6.0 POLICY SS13: LAND TO THE WEST OF ELVINGTON LANE

- 6.1 We have previously objected to the allocation of land to the west of Elvington Lane due to the potential impact the proposed development could have on the existing businesses at Elvington Airfield Business Park, as well as the planned expansion of the Business Park. We maintain our objection on the basis that the Council has ignored our concerns both in relation to the assessment of the site and as no amendments have been made to the Policy that might address our concerns.
- 6.2 To the east of site SS13 is Elvington Airfield Business Park, which is currently home to some 28 companies where a number of the businesses currently operate on an unrestricted basis. This means current operations take place on a 24 hour basis, and the buildings and grounds are externally lit through the night. Furthermore, many of the businesses conduct processes that omit noise on a continuous basis. It is therefore necessary to maintain appropriate distances between the Business Park and any residential development in order to protect the ability of the businesses to operate and to prevent residents from suffering any disturbance.
- 6.3 We are most concerned to learn that the proposed allocation of land associated with SS13 has moved closer to the existing Elvington Airfield Business Park and the proposed allocation of SS21. Any new residential development must be maintained at sufficient distance to ensure new residents are unable to hear operations at the Business Park otherwise a potential noise or light issue could arise. The distance might appear to be sufficient on a plan, but has any assessment been undertaken as to the necessary distances required to protect the existing businesses and potential new residents?
- 6.4 We therefore suggest it would be sensible to require the developers of SS13 to undertake noise and light assessments ahead of allocating land West of Elvington Lane, and also as part of the application process. The purpose would be to ensure any new houses are not constructed within proximity to any of the business that omit noise or light, and might therefore cause a potential nuisance.

- 6.5 In addition, consideration needs to be given to incorporating screen planting as part of allocation SS13 so that external lighting associated with the Business Park cannot cause nuisance to the new houses.
- 6.6 Given the residential properties on allocation SS13 are to be developed after the establishment of the Business Park then the Council has a duty to ensure that both the existing and proposed developments can coexist without nuisance arising to either party.
- 6.7 Criterion (xi) refers to the need for the proposed development to address all transport issues and reference is made as to the cumulative impact of this site alongside a number of other allocations. The list of sites fails to include reference to SS21, even though they both feed into the same road network. We would therefore like to request that SS21 is added into the list of sites referred to under criterion (xi).
- 6.8 What is also apparent from reading through the list of criteria associated with the allocation of SS13 is how the requirements are not consistent with the requirements being made of other allocations. For example, where is reference to surface water drainage or archaeology? Both of these are matters relevant to this site. We would therefore request that Officers review each of the policies associated with the allocation of land to ensure all relevant matters have been identified, and that there is consistency in relation to the matters to be addressed, at the application stage.
- 6.9 At the present time, the Policy will not be effective as it will fail to ensure the proposed development will be protected from the potential nuisance caused by noise travelling from Elvington Airfield Business Park. Given the NPPF sets out how under paragraph 17 how planning should always seek a good standard of amenity for all existing and future occupants of land and buildings.

7.0 POLICY SS21: LAND SOUTH OF ELVINGTON AIRFIELD BUSINESS PARK

- 7.1 We wish to offer our support in principle for the allocation of additional land at the Elvington Airfield Business Park to provide 25,080 sqm of B1B, B1c, B2/B8 employment floorspace under reference ST26. There is established demand for the expansion of the business park from both existing and new businesses, which is now confirmed by the allocation of land as an extension to the existing business park.
- 7.2 However, we are concerned that insufficient land has been allocated to meet demand on the Park over the life of the Plan. City of York Council is aware of how demand for land at the Park is currently pent up due to the constraint created by the current Green Belt designation. Over the years, a number of large employees have approached the owners for land, but the constraint of Green Belt has meant they have located outside of York. Companies have had to move outside of York due to the main industrial parks being washed over by Green Belt. Having to demonstrate special circumstances and why an exception to Green Belt policy should be made has proved to be too costly and to take up too much time, so businesses have chosen to take the easier option to move outside of York district. A recent example is how the Green Belt constraint meant that Paragon, who had been located on the Park, have now moved outside of the district to larger premises. Paragon was an important local employer but also part of the creative industry the City of York are eager to capture in order to

grow the creative and science industry. Their loss is therefore a setback for the economy of York.

- 7.3 The same situation is potentially about to occur where another York business needs to relocate to new premises to allow for expansion, but it is constrained by the lack of available land. They too may well be lost if sufficient land is not allocated. Their loss would result in 48 fewer jobs within the district and those to be created from their expansion plans. It is therefore critical that land is released from the Green Belt to meet demand at the Park.
- 7.4 To this end, we have responded to the various consultations on the Local Plan to make clear how much land is required at the Park to support the expansion of existing businesses and also to allow new businesses that are known to be interested in locating at the Park to do so. We have attached a masterplan for the planned expansion of Elvington Airfield Business Park, which was submitted to the Council in 2014 and 2016 in response to the further sites consultation. It makes clear the extent of land required to accommodate the size of employers expected to move to the Park. The current allocation of land provides less than half the land required to accommodate planned growth at the Park. This is based on known pent up demand from new companies and also space requirements for existing businesses that wish to expand.
- 7.5 It is important to allocate a larger area of land in order to accommodate even just the expansion of existing businesses on the Park who which to move into larger premises. If their expansion is not accommodated then they will simply move out of York, just as Paragon has already. It is important to note that if the growth of existing businesses can be accommodated by providing them with larger premises then their existing premises will become available for smaller companies to move into. At this point churn is created in the market, which benefits the wider economy.
- 7.6 We have enclosed a report prepared by Briggs Burley, who is a reputable local chartered surveying firm with a long history of land agency in York. The report outlines the market influences on demand for employment land, which we believe is not fully reflected or appreciated within the Council's evidence base. The Council's evidence base is much more focused on projections and forecasts, which we believe do not represent the full picture in York given the influence Green Belt policy has had on the release of land for development over the last few decades.
- 7.7 In relation to the detailed criteria of Policy SS21, despite raising a number of points in relation to the previous version of the Local Plan, we remain concerned with the nature of the criteria listed. Our concerns remains because the matters we raised have not been addressed in the latest version of the Plan. The Policy is therefore unsound because it will not be effective in providing an appropriate policy framework against which a planning application might be determined. This is because:
- In relation to criterion (ii), reference is made to the retention and enhancement of historic field boundaries. However, there are no historic field boundaries within the extent of the allocation. The criterion is therefore meaningless and should be deleted given it is misleading to say the least.

- The airfield was constructed during WWII by the MoD. At that time they laid the airfield out in the way in which much of it still appears today. As a result, any historic field boundaries were removed to make way for the airfield and the needs of the MoD. Furthermore, the current owners have undertaken works, including hedge planting, within the last 20 years. The current field boundaries cannot, therefore, be considered to be historic due to the alterations made over the last few decades. Consequently, there is no justification for retaining the existing field boundaries, especially as any planning application would include a landscaping scheme to aid integration of the proposal within the wider landscape.

- 7.8 We would therefore suggest the criterion is removed given criterion (iii) refers to undertaking landscape works to mitigate against the visual impact of the proposal. This is more appropriate in the circumstances.
- 7.9 In relation to criterion (iv) there appears to be a fundamental misunderstanding as to the nature and volume of traffic generated by the proposal. Traffic, generated by the businesses on the site, is usually travelling in the opposite direction to peak morning flows. Also, traffic movements are usually outside of peak flows. One of the main purposes of preparing a Local Plan is so the accumulative impact of development across a district can be quantified and assessed to ensure the effects are acceptable and appropriate mitigation can be identified. However, we are concerned that the proposed allocation is being considered in isolation to other proposed allocations that will have much more impact on the network. Consequently, any improvement works will not be appropriately co-ordinated.
- 7.10 With regards to criterion (v), the nature of the existing businesses needs to be appreciated, along with the types of business that will be attracted to the extended business park. Since it was first established, Elvington Airfield Business Park has attracted certain types of business due to the opportunity offered by the location to provide access to the highways network, and also because the lack of sensitive receptors in the immediate area means they are able to operate in an unconstrained manner. Many of the businesses operate on a 24 hour basis that requires external lighting and some also incorporate processes that produce noise. It is therefore concerning how criterion (v) suggests that, in reference to noise and light, future restrictions might be placed on operations that would make the Business Park unattractive to exactly the type of businesses it wishes to attract and is expected to accommodate by the nature of the allocation. To introduce restrictions would be harmful to the supply of land for B2 land uses within the district on a site that does not justify the introduction of planning restrictions, especially in light of the number of businesses on the Business Park who are not currently constrained and cannot be constrained by planning in retrospect. A copy of a decision notice granting planning permission for industrial units on the Park is attached as evidence as to how the current use is unconstrained in terms of hours of operation, light and noise emissions.
- 7.11 In order to be sound, the criterion needs to be qualified within the explanation, or reference to light and noise removed.

- 7.12 In relation to criterion (v) we are unclear as to why reference is made to air quality and there is no commentary within the explanation to help with our understanding. Please note that any emissions from development would be the subject of a license or permit from either the Council or Environment Agency to ensure they are within reasonable limits, so we do not understand the need for any additional consideration. Particularly, if any proposal came forward for development, that did not produce emissions and did not require any kind of external vent.
- 7.13 With regards to criterion (vii) please note that my client has already undertaken preliminary investigations and have an initial design of the drainage system, which has previously been detailed in previous representations in support of the allocation. Consequently, the intention is to direct surface water towards the south and the River Derwent. This is instead of taking drainage north through the village of Elvington. It is therefore considered that surface water drainage can be addressed satisfactorily and it is not an issue.
- 7.14 Technical, environmental and landscape information submitted previously has established how the land is suitable, available and developable, which is why land has been allocated. However, the Policy now needs to be amended in order to ensure it is sound and will be effective in shaping delivery of the site by incorporating more land and also with the changes proposed to the criteria above. Especially as a number of the criteria have not been properly explained or justified given the nature of the existing Park and the businesses that will be attracted to the Park in the future.

8.0 POLICY EC1: PROVISION OF EMPLOYMENT LAND

- 8.1 Table 4.1 sets out the employment land requirement up to 2038. Given our comments in relation to the need to increase the housing target in response to the Government's growth agenda then we believe that the amount of employment land allocated under Policy EC1 will also need to increase to support the level of housing growth. This is in order for the two targets to correspond if they are to support the same level of growth and be consistent with the strategy set out in the Local Plan. Previous versions of the Local Plan allocated 46ha of employment land in conjunction with a higher level of housing growth, which we consider to be a more appropriate amount of land to allocate in support of the strategy set out in the Local Plan. Also, in support of the role of York as one of the key cities within the region and a centre with ambitions for growth.
- 8.2 The need for land is, however, not just driven by growth. Additional land is also required to create flexibility and churn within the market in support of the existing economy. This point has been made by both the York and North Yorkshire Chambers of Commerce and Make it York who both recognise how York will lose out on investment from existing businesses and new companies if flexibility is not accounted for within the land supply (paragraph 4.2, Employment land Review Update, 2017). This point is also made within the report attached prepared by Briggs Burley, and it is one of the reasons why we believe Elvington Airfield Business Park needs to have additional capacity for development within the Plan period beyond the land currently allocated under Policy SS21 and shown on the Proposals Map.

8.3 Currently, we believe Policy EC1 to be unsound because it is not consistent with the Government's agenda for growth, as insufficient land is to be allocated to meet market demand. The Employment Land Review appears to focus on projections and forecast and does not give enough emphasis to market demand. In particular, the supply target fails to recognise the level of flexibility and churn required to allow the existing companies within York to expand and grow in addition to inward investment from new companies. The growth of Elvington Airfield Business Park in response to market demand is an example where growth will be heavily constrained by the Local Plan. If growth is suppressed then in turn the economic role of York within the region will not be fulfilled, which will mean the Plan is not effective in helping to deliver economic growth in accordance with the objectives and purposes of the NPPF.

8.4 In order for the Policy and the Plan to be found sound we believe the supply of employment land should be increased.

9.0 POLICY H5: GYPSIES AND TRAVELLERS

9.1 Policy H5 includes criterion (b) which refers to "applications for larger development sites of 5ha or more with be required to..." We wish to object to this sentence on the basis that it is not clear as to whether the requirement applies to all strategic allocations in the Local Plan over 5 ha in size. Without clarity as to why reference is made to larger development sites over 5 ha then the Policy is unsound because it cannot be effective.

9.2 Criterion (b) does not make clear whether the requirement relates to all strategic allocations, or just those that include an element of residential development. We cannot imagine that the policy is expected to apply, for example, to ST5, ST19, ST26, which are all employment sites. To require Gypsy and Traveller pitches on sites intended for B2 manufacturing processes would create a conflict between land uses that would be wholly undesirable.

9.3 We have made this same point at earlier stages of the Local Plan process and so we are most concerned that our comment has been ignored. Especially as it is such a minor amendment to make that would actually make an awful lot of difference to the clarity of the Plan.

9.4 For Policy H5 to be found sound it needs to be amended so the wording is not open to misinterpretation.

10.0 POLICY CC2: SUSTAINABLE DESIGN AND CONSTRUCTION OF NEW DEVELOPMENT

10.1 We appreciate the Council's aspiration to promote sustainable design and construction, but we are of the opinion that it is unreasonable to require non-residential buildings over 100m² to achieve BREEAM 'Excellent'. Currently, only 10% of UK new non-domestic buildings achieve at least 'Excellent' due to how difficult it is to achieve this level. Even 'Very Good' is hard to achieve, which is evidenced by how only 25% of new non-domestic buildings achieve this rating or higher. It is therefore considered unreasonable to require all non-domestic buildings over 100m² to score at least 70% on the BREEAM rating.

- 10.2 We have recently had an incidence where a number of commercial buildings were erected that struggled to even achieve good for a number of reason, including how they did not need to be insulated for use by the owner and the building material performed poorly. To have increased the specification of the building simply to gain BREEAM very good is of no benefit to the owner of the building given the nature of the business. Also, the process became incredibly expensive given a flood risk assessment, travel plan and ecology report had to be prepared that had not been required as part of the planning application process.
- 10.3 Requiring such a high rating off all non-residential buildings with floorspace of a mere 100m2 will simply act as a barrier to investment within the district, especially as neighbouring districts are currently seeking 'Very Good' within adopted Local Plans, including Harrogate Borough Council where 'Very Good' is required for buildings greater than 500 sq. m. We therefore believe that the Plan is currently unsound as it will not be effective given the Policy detrimentally affects viability and the deliverability of sites. In turn this will have repercussions for the economy and levels of investment. Also, there is no justification to require such a high rating.
- 10.4 For the Policy to be found sound then the requirements of Policy CC2 need to be revised to require the 'very good' level of BREEAM.

11.0 IN SUMMARY

- 11.1 We are most concerned that throughout the Local Plan drafting process our comments have largely been ignored by the Council despite the valid points we have raised. In particular, with reference to the criteria that address the delivery of specific allocations, the drafting errors and where the Plan is open to misinterpretation. We see no reason why the Plan could not have been amended to make sure Policies are clearly expressed for the benefit of the reader, especially given the purpose of the Plan is to provide a framework for the determination of planning applications. If the users of the document are unsure of the meaning of policies then the Plan does not fulfil its purpose.
- 11.2 We strongly believe the Plan as currently drafted is simply unsound given how it does not conform with the NPPF both in terms of the way in which the strategy has been drafted and in response to the policy requirements of the Framework. To constraint growth below the level required to respond positively to housing and employment need, and in particular affordable housing need, is inexcusable. Especially, when the Council has had the benefit of advice from consultants who have advised a number of local planning authorities on the drafting of Local Plans. We feel the only way forward is for the Plan to be found unsound given the current failings of the Plan.

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		Ms
First Name		Kathryn
Last Name		Jukes
Organisation (where relevant)		Directions Planning Consultancy Ltd
Representing (if applicable)	William Birch & Sons Ltd	
Address – line 1		23 Victoria Avenue
Address – line 2		Harrogate
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		HG1 5RD
E-mail Address		k.jukes@directionsplanning.co.uk
Telephone Number		07908 666530 / 01423 525456

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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 | X |
| Policies Map | |
| Sustainability Appraisal/Strategic Environmental Assessment | X |

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

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.Please see the
attached letterPolicy
Ref.Please see the
attached letter

Site Ref.

Please see the
attached letter**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 the attached letter

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



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

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

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

Please see the attached letter

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

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

Yes, I wish to appear at the examination

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

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

To explain to the Inspector why the Plan is unsound as currently drafted

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.¹

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.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

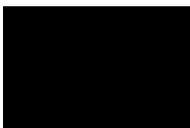
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local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

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 or on [01904 554145](tel:01904554145)

Signature



Date 03/04/2018

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

The Provision of Land for Warehousing and Manufacturing in York
**A case for more diversity in the qualitative supply and spatial
allocation of sites**

**John Burley
Briggs Burley
January 2014**

Author and qualifications

This paper has been prepared by John Burley BSc, MRICS, Dip BMM. I am a member of The Royal Institution of Chartered Surveyors and have a degree in Urban Land Economics and a Diploma from the College of Estate Management in Business Management and Marketing.

I have practiced in the York area for almost 30 years as a partner or principal. My firm is Briggs Burley a Commercial Property Consultancy, specialising in the sale and letting of retail, office and industrial property within York, North Yorkshire and the East Riding of Yorkshire. The practice also provides a range of property related consultancy services to private and corporate clients. This includes valuation, development and relocation advice.

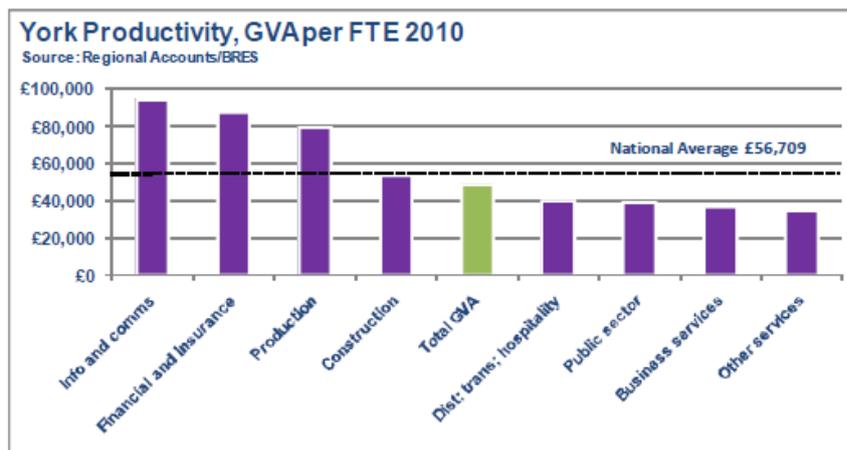
My observations in this paper are based on an active involvement in the property market place, a reasonable comprehension of economics and business and regular contact with senior members of the business community.

1. Introduction

- 1.1. This report has been prepared by John Burley of Briggs Burley who has been instructed to prepare a report to investigate the demand and supply for employment land within the district of York. The purpose being to test whether the City of York has allocated sufficient land within the Preferred Options version of the Local Plan for employment uses, but specifically Manufacturing B2 and Warehousing and Distribution B8.
- 1.2. The various reports undertaken on behalf of The City of York Council (CYC) have concluded that the demand for manufacturing employment sites will decline and that there is no requirement to allocate land for this use. A supply of 34 ha of land for Warehousing and Distribution will be required.
- 1.3. A number of potential sites have been identified to meet this requirement.
- 1.4. The issues raised in these reports and which can be challenged are:
 - The forecasts relating to sectoral growth.
 - The low level of engagement between the report writers and the manufacturing and distribution sectors.
 - The role of York in the sub region.
 - The qualitative assessments of sites.
 - The spatial distribution of sites.

2. Demand Forecasts

- 2.1. It is difficult to identify the degree to which the forecasting of future demand is influenced by historic constraints and performance. In 2007 Segal Quince Wickstead (SQW) highlighted the acute shortage of property in certain sectors. The latest report undertaken in 2013 by Entec *The Economic and Retailing Growth Analysis and Visioning Work* refers to the same issue.
- 2.2. The Entec report identifies the Gross Value Added (GVA) contributed by each sector of the local economy



When compared to the national average for each sector, production and information and communication are the only two sectors with above average productivity levels (equivalent to 120% and 116% of the national average respectively).

- 2.3. Two significant outcomes from this level of productivity are:
 - The provision of high quality well paid employment.
 - Relative economic stability as evidenced by the fairly small number of local manufacturing companies failing during the Recession.
- 2.4. The tenor in all the reports undertaken since 1999 reflects a bias to office based employment as this has been the fastest growing sector. The quality of the smaller manufacturing and

engineering companies in the city, is evidenced by the high GVA, but there is no recognition of the significance of the quality and whether the sector warrants greater support.

- 2.5. The IMF is already forecasting that growth in the UK will be higher than in other EU countries and recent comments, in the Telegraph by the Chairman of Price Waterhouse Coopers, one of the big four accountancy practices reports a resurgence of manufacturing and speciality engineering in Yorkshire and the North East. His comments encapsulate the opportunities arising and which will be lost if buildings and land are not available for manufacturing and speciality engineering.
- 2.6. This increased confidence has been reflected within the last few weeks with a considerable rise in the number of enquiries received by this practice for manufacturing businesses.

Type of use	Use	Size sq m
Warehouse	Storage and distribution of electrical components	1,500
Factory	Processing and packaging	850-1,500
Workshop	Engineering	450
Warehouse	Storage	600
Workshop	engineering	600

3. Historic Demand

- 3.1. In 1981 manufacturing represented around 21% of the local economy. By 2011 the percentage was just under 9%. During the same period the majority of the industrial and distribution space around York and the surrounding areas was constructed.
- 3.2. Over this period York has lost a number of major employers in the manufacturing sectors, Terrys, The Carriageworks, Redfearn, Monroe, Sessions, British Sugar, Ben Johnson, part of Nestle.
- 3.3. One of the main reasons for these losses has been a change in market conditions but in most instances the buildings they occupied, were approaching redundancy, the sites restricted and poorly located. Major factors which adversely affected the performance and competitiveness of those businesses. Manufacturing has declined in the region and nationally, often for similar reasons. The renaissance of car manufacturing in Britain is a reminder that decline is not inevitable. It can be an excuse for weak political direction.
- 3.4. Despite the loss of major employers there has been and continues to be continuing demand for modern industrial/storage units, over a range of sizes. The City of York Employment Land Review produced by SQW in June 2007 identified an imbalance in the supply and demand for Workspace and Warehousing. It referred to *“pent up demand because there is little supply... and an acute shortage of stock” (City Of York Employment Land Review (ELR) SQW, Annex E , Property Market Demand,E15).*
- 3.5. The ELR quantified the “reported” demand for industrial and warehousing space in York as 100,000 sq m pa. With the qualification that it was unclear how long this will continue.
- 3.6. There is no logical link between this reported demand and the conclusion that there will be a net reduction in demand, for these uses of 9 ha, between 2006 and 2021. ELR 2007 4.15.
- 3.7. The period since 2008 to date has been the most severe post war recession. Whilst the demand for industrial and distribution space, in and around York, has been weak, this has not resulted in a significant amount of space becoming available.

- 3.8. Despite the recession there is already a shortage of B2 and B8 units available on the business parks and industrial estates to the East, South and West of York because sites have not become available and there was already a shortage of suitable sites.
- 3.9. At the date of writing there are only 27 units and a very limited range of sizes available. There is a large warehousing complex to let either as a whole, or in part at Shipton by Beningbrough but few, if any, suited to manufacturing on any significant scale. These are listed in the section on supply. This limited number has been relatively consistent through the Recession
- 3.10. This has obvious implications for companies in the city:
- The potential for indigenous companies to grow is restricted
 - New companies are unlikely to give serious consideration to York as a relocation destination
 - The ability to implement new technologies will be lost.
- 3.11. This lack of buildings is not compensated for by the availability of sites as these are equally limited and has declined due to the failure of the local authority to address the issue.

4. Forecasting Demand

- 4.1. The manner in which the demand for land is calculated is at the core of this process. In the past there have been attempts to extrapolate historical data, more recently figures have been arrived at by projecting employment trends. There are significant flaws in each approach.
- 4.2. In the SQW ELR 2007 (4.38) the authors report evidence from CYC that there has been an annual take up of 2.6 ha pa, of standard quality sites. The basis for this assessment is unclear and is unlikely to reflect the actual level of demand.
- 4.3. Extrapolating historic demand does not give an accurate result. It can be difficult to prove but demand does often not become apparent until the product exists. The majority of enquiries for property only come to light when there is known availability. It is therefore wrong to draw the conclusion that the absence of enquiries is synonymous with an absence of demand.
- 4.4. Harrier Court at Elvington exemplifies this effect. When William Birch undertook the development there was only one known interested party before work started. Once the scheme commenced all the remaining 10 units were sold before completion. Take up came from companies moving into the area, companies relocating from central York premises, growing indigenous businesses and business start ups.
- 4.5. A restricted supply of property will also distort demand projections, if the demand that exists or existed has not been satisfied because of unavailability. This effect is acknowledged in the reports which have been undertaken.
- 4.6. The various reports which constitute the Evidence Base for the Council's Employment Land Requirements have based these calculations on the predicted growth in employment provided by specialist forecasting organisations, more recently by Oxford Economic Forecasts. This is a Trend Based approach, which was used in the RSS, and converts the growth in employment numbers into sectors and then uses a standard formula to convert this to floor space requirements for each sector, this in turn is converted, to a land requirement. Any approach which builds assumption on assumption cannot be tested rigorously and will have outcomes which can vary significantly with relatively minor changes to particular inputs.
- 4.7. The events of the last 5 years have demonstrated the fallibility of most economic predictions and the difficulty that any government has, whether local or national in influencing economic outcomes.
- 4.8. The forecast growth in employment led to the conclusions replicated below, set out in the Entec report.

Demand for B1(c) and B2

In line with the employment growth by use class noted above there is projected growth in the land requirements for B1(a) offices, B1(b) research and development and for B8 distribution uses and a decline in the B1(c) and B2 requirement. As highlighted in Section 5.3.1, there is projected to be an overall decline in manufacturing employment with a commensurate reduction in demand for land. However, there are a number of factors that have been considered that mean that this negative employment growth should not be translated into a negative land requirement:

- there will likely be some demand for such industrial sites as existing companies re-configure their operations and/or some companies may move into the area; and
- the review of market and economic context suggests that whilst the demand for large and general industrial sites (traditional B2 uses) may be in decline, there may be a demand for smaller light industrial units which could not be determined from the employment forecasts. Traditional light industrial (B1(c)) occupiers including uses such as 'manufacture of fabricated metal products excluding machinery and equipment' have exhibited recent growth. Units suitable for B1(c) uses may also be occupied by digital and creative technologies which are important sectors for the region.

For these reasons, it is recommended that the negative requirement for B2 and B1(c) should be treated as zero so that areas of such uses are not de-allocated. Whilst this approach does not provide an estimate of land requirement for these uses it is anticipated that well functioning industrial locations will be redeveloped and future new industrial locations (particularly for B1(c) uses) should still be brought forward where it can be seen that sites may better fit with the spatial strategy set out in Section 4. The important finding here is that the broad quantity of well functioning B2 and B1(c) industrial sites should be retained and monitored, at least in the short to medium term (this is further discussed in Section 8).

Table 5.6 Employment Land Requirement to 2029 with Margin for Choice and Uncertainty (hectares)

Use Class	2006 – 2021	2006 – 2026	2006 – 2029
B1(a)	8.80 (3.52 to 14.08)	12.53 (5.01 to 20.04)	15.10 (6.04 to 24.17)
B1(b)	0.79	1.04	1.21
B1(c), B2	0	0	0
B8	21.18	28.54	33.29
Total	30.77	42.11	49.60

- 4.9. Neither the extrapolation of historic take up nor the projection of employment numbers are the most appropriate approach to assessing the requirements of business in a changing economy.
- 4.10. The initial reports undertaken by SQW included some market research, as their initial remit was to establish the specific requirements of the science and technology sectors. The flaw in the current processes is that it makes no serious attempt to understand the type, size and location of buildings required and reflects a failure to engage with all sectors of the business community, particularly those involved in production and distribution.
- 4.11. This lack of engagement was evidenced by the absence of representatives from manufacturing and distribution at the launch of the Employment Strategy. On enquiry it has been difficult to find any representatives of these sectors who have had any meaningful engagement with policy makers. Their focus appears to be because of the Council's emphasis on its identity as a Science City, rather than in response to the general needs of the economy.

5. Supply

- 5.1. The quantum of land required for employment uses has been addressed in part, under the section on forecasting, above.
- 5.2. Most of the reports undertaken on behalf of CYC have referred to the shortage of buildings for storage and distribution.
- 5.3. This is exemplified by the current shortage of units in particular size ranges and locations. This is the schedule of available units, over 200 sq m taken from the Focus database and referred to earlier. This demonstrates the small number of units available, the very limited range of unit sizes, and the shortage of freeholds. A more detailed analysis would show the locational bias to the north side of York and the unsuitability of most of the buildings for production processes.

Street Name	Town	Use Class	Floor Area sq m	Tenure
Auster Road	York	B2 (general Industrial)	258	Leasehold
Concorde Park	York	B2 (general Industrial)	484	Leasehold
Crockey Hill	York	B2 (general Industrial)	416	Leasehold
Green Lane Trading Estate	York	B2 (general Industrial)	551	Leasehold
Hallfield Road	York	B2 (general Industrial)	330	Leasehold
Harwood Road	York	B2 (general Industrial)	515	Leasehold
Harwood Road	York	Not Specified	253	Freehold
Harwood Road	York	B2 (general Industrial)	506	Leasehold
Huntington Road	York	Not Specified	786	Freehold
James Street	York	B2 (general Industrial)	192	Leasehold
James Street	York	Not Specified	237	Leasehold
Kettlestring Lane	York	Not Specified	376	Leasehold
Layertorpe	York	B2 (general Industrial)	513	Leasehold
Murton Lane	York	B2 (general Industrial)	460	Leasehold
Murton Lane	York	Not Specified	460	Freehold
Northfield Lane	York	Not Specified	515	Freehold
Outgang Lane	York	B2 (general Industrial)	319	Leasehold
Outgang Lane	York	B2 (general Industrial)	319	Leasehold
Rose Avenue	York	B2 (general Industrial)	355	Leasehold
Rosetta Way	York	Not Specified	221	Freehold
Southfield Lane	York	B8 (storage distribution)	2,525	Leasehold
Station Lane	Shipton By Beningbrough	B8 (storage distribution)	1,305	Leasehold
Station Lane	Shipton By Beningbrough	B8 (storage distribution)	1,515	Leasehold
Station Lane	Shipton By Beningbrough	B8 (storage distribution)	1,529	Leasehold
Station Lane	Shipton By Beningbrough	B8 (storage distribution)	1,094	Leasehold
Station Lane	Shipton By Beningbrough	B8 (storage distribution)	1,489	Leasehold
Total Floor space Available			17,738	

- 5.4. The reports undertaken as part of the evidence base, do not appear to fully appreciate that industrial and warehousing space is a much less homogenous product than office space.
- 5.5. Location, site coverage, tenure, height, outdoor storage space, parking and expansion space can all be critical issues for a manufacturing and distribution company. These are some of the reasons that have led to the redundancy of former employment sites and to the decline or relocation, out of the area, for some businesses. For example the purchaser of part of the Sessions business was unable to find suitable premises in York and had to move outside the area. The York Evening Press reported on the 22nd November 2011:
- 5.6. *“A LONG chapter in York’s proud industrial heritage closes this week, as the old label-printing division of Sessions leaves the city. The business would have been 200 years old this year, but its three divisions were split when Sessions went into administration in April 2010. Now its label printing division, bought out of administration by Paragon Print & Packaging Group, is moving to a new 42,000 sq ft plant in Boston, Lincolnshire.*

*Paragon has continued to operate with about 40 staff in Sessions’ [Huntington Road](#) premises, where the business has been based since 1920, but the property was sold to be redeveloped. **Mark Lapping, managing director of Paragon Print & Packaging Group, announced in July that it could not find a suitable alternative location in the York area.”***

- 5.7. The last 15 years have seen major structural changes to employment in York. As a result a number of large sites have become vacant. Most have subsequently been developed for housing. There is no disputing that in the majority of cases this was the best use for the sites but the table below does emphasise how many major employment sites have not been recycled for employment uses. The possibility of future supply been met from existing sites is therefore not a realistic assumption.
- 5.8. The table below details the loss of existing Industrial (B1/B8) employment land in the City of York

Industrial Premises	Location	New Use	Period Vacant
Nestle	Haxby Road		5 years
Terrys	Bishopthorpe Road	Residential, Commercial, Leisure	10 years
Dairy	Lawrence Street	Residential	5 years
Carriage Works	Boroughbridge Road	Commercial	10 years
Ben Johnson	Boroughbridge Road	Residential	1 year
British Sugar	Poppleton	Commercial?	10 years
Monroe	Shipton Road	Residential	1 year
Sessions	Huntington Road	Residential	2 years
Council Depot	Foss Islands Road	Retail	1 year
Electricity Depot	Hungate	Residential, Commercial	5 years
Gas Depot	Laythorpe	Residential	5 years
GPO Depot	Leeman Road	Residential	5 years

- 5.9. Although certain types of business have very specific requirements, these factors have been given very little weight when determining the supply of sites required.

- 5.10. In most economic situations whether commercial or public sector there is a requirement to balance demand and supply. The basis for determining the quantum is addressed above and is disputed. The qualitative assessment of supply should start with attempt to address business specific demand factors.
- 5.11. The advice on which CYC is relying adopts a different perspective. Planning Policy rather than the needs of business are given the higher weighting. The flaw in this approach is exemplified in the criteria, used to determine the location of employment land, which are suited to office allocations but not B2 and B8. The table set out below purports to establish criteria which will enable sites to be assessed and ranked objectively.



Creating the environment for business

Appendix B Assessment Criteria

Assessment Criteria	Impact Levels				
	1 – Strongly Negative	2 – Negative	3 – Neutral	4 – Positive	5 – Strongly Positive
Group 1 – Policy Considerations (high weighting)					
1 Conforms with spatial approach B1a offices (including separate weighting)	Out of centre	Local centre	District centre	Edge of centre	City centre
2 Conforms with spatial approach B1b (including separate weighting)	Significant distance from campus or R&D cluster or institution	-	-	-	On campus or in close proximity to R&D cluster or institution
3 Conforms with spatial approach B2/B8 (inc B1c (including separate weighting)	Out of town	Urban edge	In town	Local / district centre	Edge of centre
Group 2 – Strategic Constraints (high weighting)					
4 Strategic Development Constraints 1: Flood risk (including separate weighting)	Flood zone 3b	Flood zone 3a/3a*	Flood zone 2a	Flood zone 2	Flood zone 1
5 Strategic Development Constraints 2: Policy constraints	100% or + of site in designated conservation area, green belt, etc.	50% or + of site in designated conservation area, green belt, etc.	33% or + of site in designated conservation area, green belt, etc.	10% or + of site in designated conservation area, green belt, etc.	0% of site in designated conservation area, green belt, etc.
Group 3 – Other Assessment Criteria (high weighting)					
6 Proportion of footspace for sale / vacant	41 – 50%+	31 – 40%	21 – 30%	11 – 20%	0 – 10%
7 Strength of demand / market attractiveness	Very poor demand for location	Poor demand – likely from heavier industries	Reasonable demand – from a mixture of different uses	In demand – mainly to cater for indigenous firms	In demand – including from inward investing firms
8 Recent market activity	None in last 2 years	Some in last 2 years	Typical level – some in last year	Active in last year	Very active in last year



Appendix B
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Assessment Criteria	Impact Levels				
	1 – Strongly Negative	2 – Negative	3 – Neutral	4 – Positive	5 – Strongly Positive
9 Connections to highway network (for B2 / B3)	The site has very poor connections to the highway network.	The site has poor connections to the highway network.	The site has reasonable connections to the highway network.	The site has good connections to the highway network.	The site has very good connections to the highway network.
10 General public transport accessibility	The site has a very low PTA.	The site has a low PTA.	The site has mid range PTA.	The site has a high PTA.	The site has a very high PTA.
11 Distance to local railway station	The site is at least a 25min walk to the nearest railway station.	The site is about a 20min walk to the nearest railway station.	The site is about a 15min walk to the nearest railway station.	The site is about a 10min walk to the nearest railway station.	The site is generally within a 5min walk to the nearest railway station.
12 Distance to district centres	The site is at least a 25min walk to the nearest centre.	The site is about a 20min walk to the nearest centre.	The site is about a 15min walk to the nearest centre.	The site is about a 10min walk to the nearest centre.	The site is generally within a 5min walk to the nearest centre.
13 Distance to nearest existing commercial / business area	The site is at least a 25min walk to the nearest area.	The site is about a 20min walk to the nearest area.	The site is about a 15min walk to the nearest area.	The site is about a 10min walk to the nearest area.	The site is generally within a 5min walk to the nearest area.
Group 4 – Site / Area Attributes (medium weighting)					
14 Potential development plots	0 – 0.1 ha	0.1 – 0.4 ha	0.4 – 1 ha	1 – 5 ha	5 ha +
15 Age and quality of buildings	The existing site buildings are of very poor quality and age.	The existing site buildings are of poor quality and age.	The existing site buildings are of reasonable quality and age.	The existing site buildings are of good quality and age.	The existing site buildings are of very good quality and age.
16 Operation of potentially contaminative uses	Considerable contamination likely (potential halt to development).	Contamination likely.	Low level contamination likely.	Low level contamination possible.	No previous development / contamination unlikely.
17 Distance to local centres	The site is at least a 25min walk to the nearest centre.	The site is about a 20min walk to the nearest centre.	The site is about a 15min walk to the nearest centre.	The site is about a 10min walk to the nearest centre.	The site is generally within a 5min walk to the nearest centre.
18 Current local employment issues and deprivation levels	The site is located in an area of very low social and economic deprivation.	The site is located in an area of low social and economic deprivation.	The site is located in an area of intermediate social and economic deprivation.	The site is located in an area of high social and economic deprivation.	The site is located in an area of very high social and economic deprivation.
19 Distance to housing (implied labour force)	Below average -50%+	Below average -25%+	Air site average	Average +25%+	Average +50%+



Assessment Criteria	Impact Levels				
	1 – Strongly Negative	2 – Negative	3 – Neutral	4 – Positive	5 – Strongly Positive
Group 5 – Other site attributes (low weighting)					
20 Quality of public realm	The existing public realm within the site is of very poor quality	The existing public realm within the site is of poor quality	The existing public realm within the site is of reasonable quality	The existing public realm within the site is of good quality	The existing public realm within the site is of very good quality
21 Intervention required	Undeliverable without intervention	Intervention required for access and interior	Some intervention required for interior and access	Intervention required for access	No intervention required
22 Distance to local shops	The site is at least a 25min walk to the nearest shops and services	The site is about a 20min walk to the nearest shops and services	The site is about a 15min walk to the nearest shops and services	The site is about a 10min walk to the nearest shops and services	The site is generally within a 5min walk to the nearest shops and services
Group 6 – Surplus Sites Assessment (if not justified in taking forward)					
23 Proportion of recent/derelict sites	41 – 50%	31 – 40%	21 – 30%	11 – 20%	0 – 10%
24 Strategic reallocation of site usage	A significant amount of work has been undertaken by the LA or other Government stakeholders on the redevelopment of the site for an alternative use	Some work has been undertaken by the LA or other Government stakeholders on the redevelopment of the site for an alternative use	No work has been undertaken by the LA or other Government stakeholders on the redevelopment or renewal of the site	Some work has been undertaken by the LA or other Government stakeholders on the renewal of the site for the retention of employment uses	A significant amount of work has been undertaken by the LA or other Government stakeholders on the renewal of the site for the retention of employment uses

7.1. Some comments on these criteria may be helpful:

7.2. *Group 1, Policy Considerations*

The re use of existing employment sites is not suitable for many B2 and B8 employers and does not happen in York. In an historic city like York sites meeting criteria which would generate a high score do not exist.

7.3. *Group 2, Strategic Constraints*

As there reuse of existing employment sites is impossible the only realistic location is within areas currently regarded as “Green Belt”. This should be distinguished from Conservation Areas, SSIs and other designated areas which perform a more specific function.

Again any site suitable for B2 or B8 uses will inevitably attract a low score.

7.4. *Group 3, Other Assessment Criteria*

Strength of market demand. It is unclear how this is determined, The Airfield Business Park, Elvington has been given a low score against this criterion, despite being almost continuously fully occupied.

High levels of Recent Market Activity are given a high score but high turnover is likely to reflect, weak tenant covenants, short leases and potential dissatisfaction with inferior accommodation.

Connections to Highway Network B2 and B8. This is a critical determinant of location. However the proposed allocation of any more employment on or off the Northern Ring Road, suggests that this particular criteria has not been applied.

7.5. The last three criteria in this section relating to the distance from facilities will inevitably lead to low scores for most potential B2/B8 sites. These are not criteria to which most businesses would apply a high weighting.

- 7.6. The remaining criteria have not been addressed at this point but the examples above demonstrate that some of these criteria are completely inapplicable and some are subjective. The weighting is policy rather than demand biased. This process is not as analytical and objective as suggested.
- 7.7. These criteria have been used to select a range of sites around the City which are deemed suitable for B2 and B8 uses. The schedule is reproduced in its entirety below. The inclusion of many of the suggested sites is rather difficult to comprehend. For example Ref 34 Hudson House is an existing office building within the historic core of the city. The inclusion of such sites undermines the whole credibility of the process. Those sites which may be suited for this type of development have the site areas highlighted. Most of these offer relatively small areas and are infilling existing employment sites.

B1(c) light industrial, B2 general industrial, and B8 storage and distribution uses (Demand: 2006-21: 21.18 ha, 2006-26: 28.54 ha, and 2006-29: 33.29 ha)

Table 8.2 Short listed Supply Sites – Quality using B1(c), B2 and B8 location criterion

Site Ref.	Site Name	Source of site	Site area (ha)	Area of land developable (ha)	B1(c), B2 and B8 Floorspace (sq.m)	Weighted Score	Rank ^{DB} ?	Comment
64	North of Monks Cross, Huntington	Premier Employment Allocation	19.75	17.77	71,060	88.90	1	Application for employment uses on this site was refused following a call in enquiry in 2005. 17.77ha represents not developable area.
10	James Street/Foss Islands Road	Existing Employment Site	35.39	5.41	1,700	86.28	2	Currently vacant site appropriate for B1(a), (b), (c), B2 and B8 uses given the sites proximity to the city centre and surrounding road uses.
65	Vicarage, south of Monks Cross, Huntington	Premier Employment Allocation	13.98	13.98	53,520	84.95	3	This site has an outline planning permission for 40,000sqm of B1(a). It is however currently the subject of an application for a Data Centre which would occupy the full site with a total floor space of 21,000sqm.
89	Land south of Great North Way, York Business Park	Standard Employment Allocation	1.37	1.37	5,480	80.68	4	
63	Grimston Bar: Land to north of A1078, west of A64 bypass and south of Marlon Way	Proposed	32.60	32.60	130,460	79.28	5	
80	Land forming south east of York Business Park	Standard Employment Allocation	0.01	2.1	8,400	79.28	5	2.1ha available of which 1.1ha has planning permission for B2 B8 uses. The floor space figure assumes that the whole 2.1 hectares could be built out for B1(a), B2 & B8.
23	Adjacent to Norwich Union, Monks Cross, Huntington	Existing Employment Site	1.01	0.6	2,400	79.90	7	Planning permission for 3792sqm for B1(a) uses.
67	Land North of Northwester Business Park, North Field Lane	Premier Employment Allocation	14.00	14.00	56,000	77.51	8	Floorspace figure assumes that the whole site could be built out for B1(c), B2 & B8.
12	Osbaldwick Link Road (existing employment), Osbaldwick	Existing Employment Site	3.71	0.28	1,040	77.35	9	

Table 8.2 (continued) Short listed Supply Sites – Quality using B1(c), B2 and B8 location criterion

Site Ref.	Site Name	Source of site	Site area (ha)	Area of developable land (ha)	B1(c), B2 and B8 Floorspace (sq.m)	Weighted Rank Score	Rank #	DB ⁺ ?	Comment
34	Omega 1, Monks Cross, Huntington	Existing Employment Site	1.04	1.04	4,100	77.35	9		This site has the benefit of a planning permission for B1(a) office up to a maximum of 8,500 sqm. The floor space figure assumes that the site is built out for B1(c), B2 & B8.
48	Former Bio-Rad Premises, Haxby Road, New Earswick	Proposed	2.89	2.89	11,560	75.78	11		Whilst offering redevelopment opportunities it should be noted that this site is part of the existing employment land supply.
79	Land south east of Marlon Industrial Estate, Marlon	Standard Employment Allocation	0.47	0.47	1,800	75.78	11		Floor space indicative
32	Monks Cross North, Huntington	Proposed	37.98	37.98		75.43	13		
53	Land to rear of Brook Nook, Marlon Way, Debsidewick	Proposed	1.23	1.23	4,920	75.08	14		Floor space indicative
7	York Central, Looson Road	Existing Employment 1.56a	37.03	2.5	10,000	74.90	15	DB	Most appropriate for future high density B1(a). Less appropriate for other B uses given central location and likely conflicts with other uses (C classes, etc). Developable area / floorspace proposed by CYC.
34	Hudson House and Old Station Buildings, Station Rise/Toft Green	Proposed	1.02	1.02	7,200	74.55	16		Highly accessible city centre location close to York Railway Station. It currently includes 17,270 sqm B1(a) Office Floor Space. Former railway offices adjacent to the site have recently been given approval to convert into a hotel at a loss of 8,317 sqm office floor space. Given the existing use as offices redevelopment is unlikely to yield any net increase in supply. Given the sensitivity of this location the use of the site for B2 and B8 would be problematic and extremely unlikely.
90	Land north of Great North Way, York Business Park	Standard Employment Allocation	6.12	1.81	7,240	74.55	17		Since 2000 two sites developed 0.9ha and 0.72ha
47	Land south of Northminster Business Park, North Field Lane	Proposed	3.24	3.24	12,600	73.85	18		Currently safeguarded land
55	Land of Knapton Moor	Proposed	33.02	33.02	162,400	73.04	19		Currently safeguarded land

LEADING THE ENVIRONMENT FOR BUSINESS

Table 8.2 (continued) Short listed Supply Sites – Quality using B1(c), B2 and B8 location criterion

Site Ref.	Site Name	Source of site	Site area (ha)	Area of developable land (ha)	B1(c), B2 and B8 Floorspace (sq.m)	Weighted Rank Score	Rank #	DB ⁺ ?	Comment
Total			253 ha	169ha	552,500sqm				

Source: Entec UK Ltd. Note: ⁺ DB = Development Brief prepared for site. ⁺ = high ranking small sites (those less than 0.4ha) removed and the original ranking amended. Floor space figures are CYC estimates only unless indicated in the comments column. Note that these totals have been rounded for ease of presentation.

9. Location



- 9.1. The above map identifies the employment sites around York with some element of B2 and B8 use. Their distribution is weighted to the North with Monks Cross, Clifton Moor, Poppleton Business Park, Northminster, Millfield Lane and Hessay. All these feed on to the congested single carriageway section of the ring road, which will also have to accommodate traffic generated by York Central, The British Sugar site and the Northminster extension.
- 9.2. In contrast the employment space available in the S, E and west quadrants is represented by the small industrial estate at Elvington.
- 9.3. This distribution of employment sites bears no relationship with the traffic inflows to the City, which are represented graphically in the diagrams below.
- 9.4. This historic and proposed allocation of employment sites appears indicative of the degree to which CYC fail to address or underestimate the role that York plays, economically in the sub region and the degree to which the surrounding towns and villages, within the East Riding and Selby District, provide the housing, which is not available in the City itself.
- 9.5. These traffic flows will continue and increase so it would appear more logical to mitigate the traffic impact on the City Centre and northern ring road by distributing employment sites more rationally. These flows are detailed in the attached diagrams.

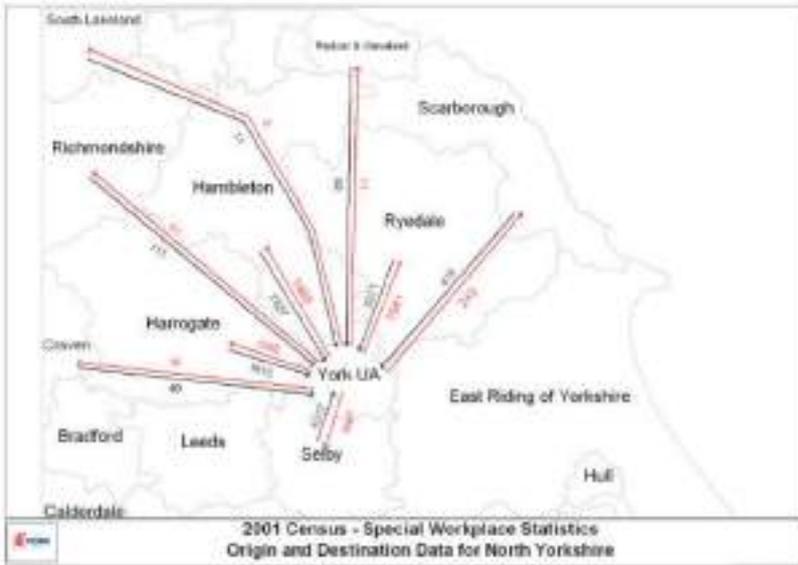


Figure 4

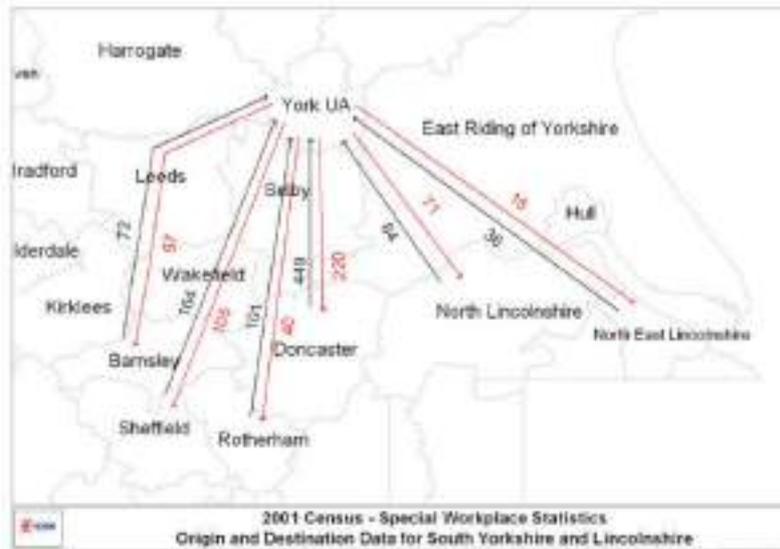
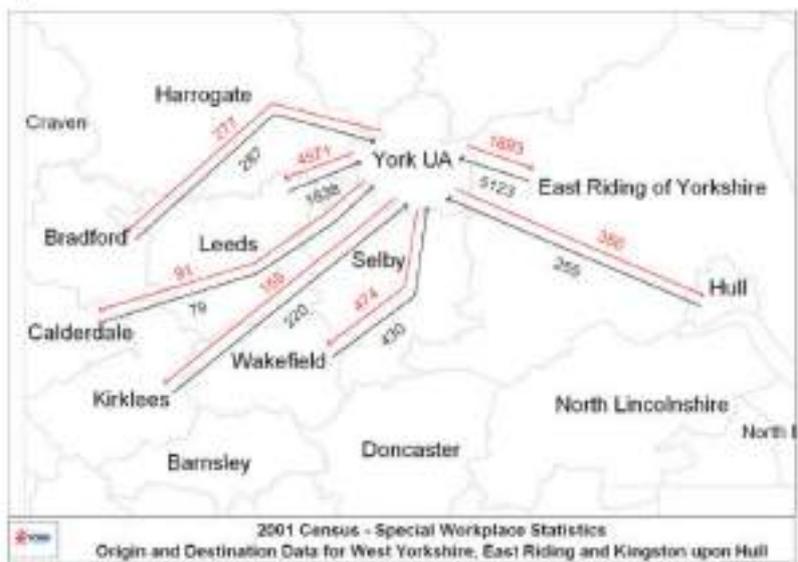


Figure 5



10. Airfield Business Park Elvington

- 10.1. The development of Airfield Business Park (ABP) at Elvington provides a number of practical insights into the growth of a successful manufacturing and distribution site.
- 10.2. ABP is a former airfield located three miles to the south east of York. Many of the original war time buildings were let to local businesses which wanted low cost accommodation.
- 10.3. In time occupiers required larger and higher quality buildings. The original buildings were demolished and redevelopment started with the refurbishment of two existing, 3,000 sq m, hangars in 1994 and 1996. Both were under offer before the work was completed.
- 10.4. Buccaneer Court a development of 12 no, 150 sq m -175 sq m units started in 2000 and was fully occupied soon after completion.
- 10.5. Harrier Court a development of 10 high spec industrial units ranging from 400 to 1,000 sq m was built between 2004 and 2006. All the units were sold before completion.
- 10.6. The range of occupiers is interesting
 - Development of racing car engines
 - Printing
 - Distribution of architectural ironmongery
 - Distribution of industrial doors
 - Model making
 - Manufacture and supply of veterinary packaging
 - Steel stockholding
 - Manufacture of glass handling machinery
 - Distribution
- 10.7. There are 28 companies at Elvington, a significant proportion are leaders in their sectors nationally. Between them they provide high quality employment to over 450 people.
- 10.8. The developed area is approximately 10 ha.
- 10.9. Successful occupiers include:
 - York Mailing, the company recently took over Pindar and The Lettershop Group. It has a £75m turnover and employs over 120 people at Elvington alone. The company is a UK market leader in high volume print runs.
 - Paragon Creative, successors to the creators of Coppergate, have an international reputation.
 - DGP Group is a market leader in the production of veterinary packaging.
 - The Potter Group a regional leader in multi modal distribution.
- 10.10. The success of many of these companies has been founded on the ability to grow at Elvington, either by expanding onto adjoining land, taking additional buildings or moving to a larger building. This has been facilitated by a landlord, William Birch and Sons Ltd who have worked with occupiers and responded to their demands.

- 11.1. The following table sets out brief details of the companies which have been able to expand while remaining located at Airfield Business Park (ABP).

Business	Original Premises (sq m)	Current Premises size (sq m [†])	Percentage Increase (%)	Number of Expansions
Web printing	3,000	8,500	175	3
Logistics	3,600	6,500	80	1
Steel tube, stockholding, machining, distribution	1,100	3,300	300	2
Manufacture of material handling equipment	1,000	1,900	90	3
Steel-plate stockholding and distribution	270	800	300	1
Veterinary supplies, kit assembly and distribution	350	1,500	330	3
Industrial cleaning	150	400	170	2
Motor engineering	175	350	100	1

- 11.2. Over the last 20 years 8 businesses have expanded from 9,750 sq m to 22,450 sq m; an increase of 130%. This ability to expand in one location obviates the costs and disruption of moving, helping companies to be more competitive and creating a stable base for the workforce.

- 11.3. This has led to a very low turnover of occupiers.

11.4. Future requirements

- 11.5. There remains a small area of just over 1ha which has detailed planning consent for B2 and B8 style units. Part of the infrastructure has already been constructed. Development was halted post the start of the Recession to avoid the penalty of vacant rates as the landowner did not want to be exposed to risk. Marketing is, for the first time, about to start and there are already tentative enquiries for 4 units, out of a proposed total of eight.

- 11.6. A continuing dialogue is maintained between the developers and the occupiers. Of the existing occupiers 5 have indicated that they are considering future expansion with new buildings or new facilities within the next 2-4 years. These are summarised below.

Manufacturing	6,000 sq m
Warehousing/production	4,000 sq m
Manufacturing	1,500 sq m
Trailer parking	0.5 ha

- 11.7. Some of these are for campus style sites and will result in a land requirement of around 5 ha. There is however no land available for their expansion either within the ABP, which is their preferred location without further allocation of land within the proposed Plan period.

- 11.8. We are aware that a number of existing companies at Elvington have other options available if they cannot meet their development needs at Elvington. It is unlikely that they would look at other sites in the York area. There is a risk that the City could lose all or part of these businesses, to the detriment of local employment.

12. Lost enquiries

- 12.1. Over the years there have been a number of very serious enquiries for new units at Elvington, particularly from companies wanting larger buildings or building which met a specific non-standard requirement.
- 12.2. This is well illustrated by a well-known and major York company which required a new site of about 1.5 ha on which they could construct a 4,000 sq m building to develop and produce a new product. The company had to undertake an extensive trawl of all the available buildings and land within a 12 mile radius. They were unable to find anything suitable and therefore enquired about a site at Elvington. Very considerable expense was incurred in preparing a planning application, which satisfied all relevant criteria, other than the site was not allocated for development. The application was refused, losing the City an innovative business and potentially 120 jobs. Other potential occupiers have also been lost. Companies need a fast response and certainty. Despite the fact that Elvington is an established Business Park/industrial estate, companies are not prepared to risk the cost and time required to obtain a planning consent when the resistance of the planning authorities to development on unallocated land is so well known. Details of some larger enquiries which have been lost are detailed below showing the use and the site area required.

Use	Site Area
Open storage of motor vehicles	2 0ha
Fuel depot	0.5 ha
Printing works	0.5 ha
Test centre	1 0 ha
Engineering facility	2.0 ha

- 12.3. Not all enquiries are converted but these enquiries demonstrate the type of businesses which have expressed interest in Elvington, and the size of site required. Some of these businesses e would have created jobs within the district which would have contributed to the growth of the economy and would have replaced jobs lost by the closure of some of the large manufacturing employers, such as British Sugar.
- 12.4. One of the existing occupiers at Elvington almost lost the opportunity to undertake a significant expansion of it's business because of the shortage of suitable property.

13. Deliverability

- 13.1. There are two major considerations regarding deliverability;
- Timing
 - Cost
- 13.2. Both of these are major considerations for business. Sites need to be available, with planning and infrastructure in place so that demand can be responded to promptly.
- 13.3. Cost needs to be realistic and affordable. Manufacturing and distribution generally require larger areas of land than other uses. From a developers perspective rents and prices tend to be low relative to build costs. It is therefore important that off site and on site infrastructure costs are low.
- 13.4. The availability of freehold property as well as leasehold is also important to the market, particularly if building requirements are more specialised.
- 13.5. Airfield Business Park at Elvington is particularly well suited to meet the requirements of B2 and B8 occupiers:
- It already has the infrastructure to enable immediate development.

- The existence of infrastructure means that sites can be provided cost effectively.
- Sites of up to 5 ha or larger can be made available.
- The land is level, facilitating development and provides the high quality environment which is essential to a broad spectrum of companies wanting to compete at a national and international level.
- The environmental impact and intrusion into the countryside is low.
- The owners are prepared to provide buildings on a freehold or leasehold basis and can provide sufficient land for future expansion.
- It is in a quadrant of York where supply is particularly limited.
- There is good access to the southern dual section of the A64 and generates minimal traffic flows to affect the City centre.

14. Conclusion

- 14.1. The latest Visioning report undertaken on behalf of CYC is limited in both width and depth, as little attempt has been made to reflect on the reasons why the York economy has exhibited considerable resilience during the recent recession and the economic opportunities which will arise in the future.
- 14.2. The Vision is limited to York itself, with little consideration for the potential that York has to add value to the regional sub area.
- 14.3. Manufacturing in York is not a large part of the local economy. However it is markedly more efficient than other sectors and includes some national and world class companies. This sector has received little support or engagement with policy makers in contrast with the promotion given to much less efficient sectors.
- 14.4. Manufacturing may be declining but it becomes inevitable when the major resource required to enable it's continuance and development, a suitable supply of land, is not available.
- 14.5. Science City may produce high quality jobs, but does not meet all the needs of the indigenous work force, neither do retailing and hospitality, which are generally low paid.
- 14.6. Government policy advocates rebalancing the economy, both to take advantage of trading opportunities and to create the economic diversification which helps provide employment stability.
- 14.7. The role of local authorities is not to take the lead in this respect but to ensure that business can start and grow, without unnecessary constraints.
- 14.8. The major constraint for manufacturing and distribution businesses, in York, over the last decade has been the shortage of good quality sites. Every report commissioned by the local authority has emphasised this fact particularly in respect of land suitable for B2 and B8 development.
- 14.9. Most of the development that has occurred over the last two decades has been on the north side of York where the road infrastructure is most limited .Again, the authority's own consultants have highlighted the deterrent effect that congestion has to companies wanting to locate in these areas. Despite this planning consent for additional retail development has been granted at Monks Cross and there is a very heavy bias to major developments in the northern sector of the City.
- 14.10. Land should instead be allocated where there is demand and where it can reduce congestion by intercepting traffic flows into the city.

- 14.11. There is a need for larger sites suitable for manufacturing and distribution. These need to have good access to the southern section of the ring road because of the links it provides to the more strategic network.
- 14.12. The primacy given to planning policy serves as an impediment to the development of some sectors and is completely at odds with the need to provide sites which meet the commercial requirements of business.
- 14.13. The forecasting models used to assess the amount of land required during the plan period embody too many assumptions for these to be challenged forensically or to have any degree of reliability.
- 14.14. If the forecasts were accurate the suggested allocations require a much greater degree of over provision to provide choice and a balance to the inherent uncertainty of the forecasting process.
- 14.15. It is not the strongest of the species that survives, nor the most intelligent that survives. It is the one that is most adaptable to change. Darwin's observation applies equally to cities. York has already lost some major employers, partly due to their inability or lack of opportunity to adapt. Current policy restricts change and therefore compromises the long term potential to provide high quality jobs for all the local population and contribute to economic growth.

Airfield Business Park, Elvington

The purpose of this report is to detail recent interest in Airfield Business Park since the beginning of the year;

Victor Court

The initial phase of Victor Court totals 35,000 sq ft in 9 units, ranging from 3,000 to 8,000 sq ft. The second phase may not be built as Bowker require the site for lorry parking.

Construction started before the end of last year and terms for 2 units were agreed immediately. No active marketing has yet been undertaken. However, since the beginning of 2018 there have been a considerable number of enquiries and terms are in the process of being finalised for a further 4 units. There is firm interest in another 2 units subject to the disposal of existing premises and confirmation of a sales contract. This information is summarised below. At this stage it would be inappropriate to identify the parties.

Table 1

Unit	Size sq ft	Status	Notes
1	3,000	SSTC	Local individual required for own occupation
2	3,000	SSTC	York branch of national franchise needing to move from temporary premises
3	3,500	HOTS issued	Elvington company wanting to expand and develop research facility
4	3,000	HOTS issued	York company wanting to relocate to more suitable premises
5	3,500	HOTS issued	York company wanting to upgrade profile and move to freehold premises
6	3,500	HOTS issued	Same company as above
7	4,500	Reserved	Elvington company wanting to expand. Contract dependent
8	3,500	Available	
9	8,000	HOTS issued	York company wanting to consolidate operations and upgrade production facility

The following points are pertinent;

- Most of this interest has materialised in the last month
- These are either existing companies on Airfield Business Park or companies with existing operations on the east side of York.
- Most have been attracted by the ability to purchase a freehold interest.
- All want high quality premises with a strong image.
- All are attracted by a building which meets their size requirements, rather than having to compromise.
- In most cases the existence of this latent demand only became apparent when construction started on site

In addition, we have had the following enquiries which have been specific to Victor Court;

Table 2

	Size sq ft	Notes
1	3,000	National company with York subsidiary undertaking research
2	10,000	Experienced York entrepreneur setting up new fabrication plant
3	3,500	York based company supplying specialist hair care products wanting to expand

There have a significant number of other enquiries which have not been satisfied by existing availability.

Airfield Business Park, Elvington

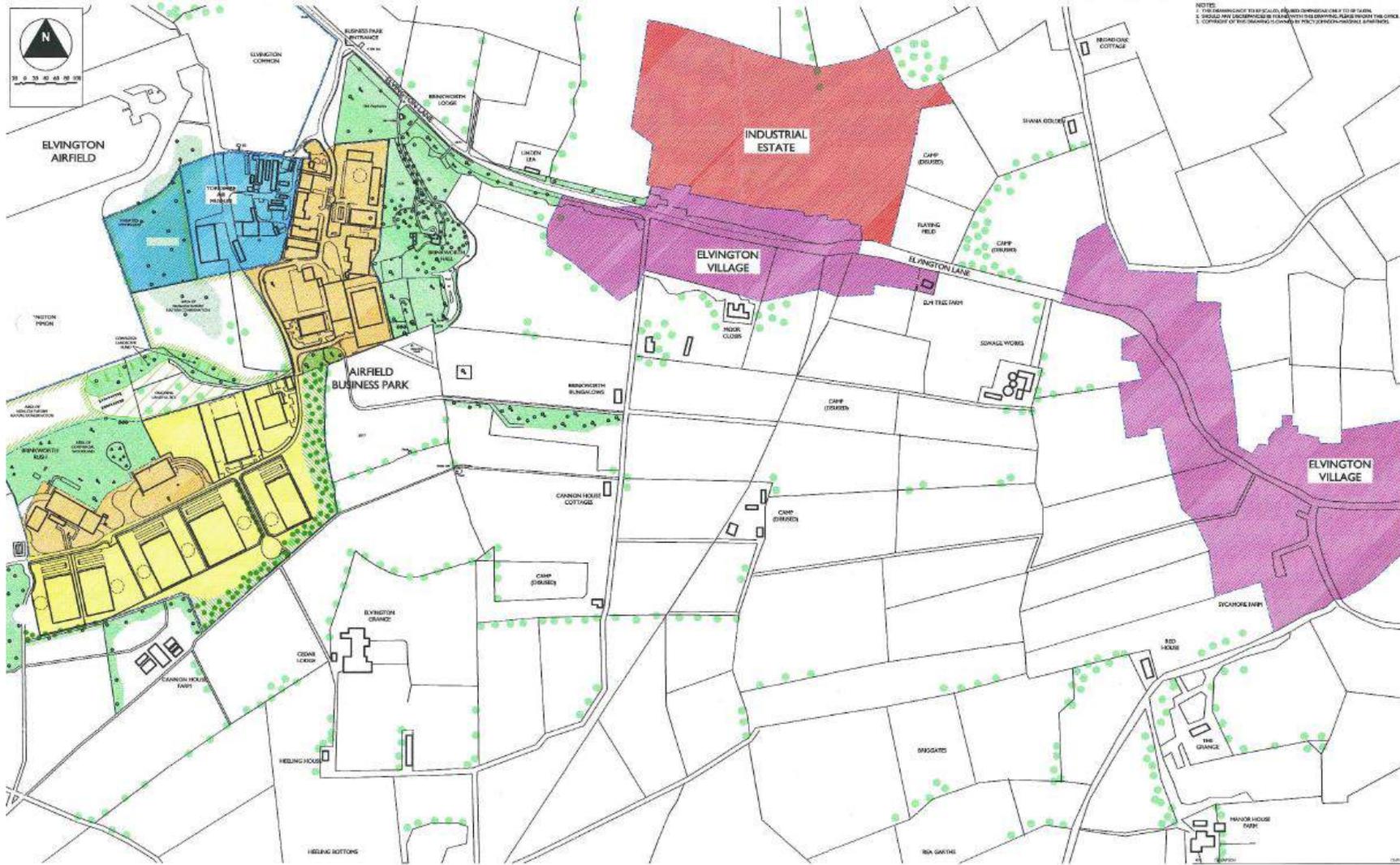
Development Strategy

Phases 3 and 4





Plan showing land owned by William Birch and Company Ltd



NOTES:
 1. THE DIMENSIONS TO SPECIFIED EDGES AND DIMENSIONS OF 100 METRES
 2. SHOULD ONLY BE USED IN CONJUNCTION WITH THE DIMENSIONS PLANNED FROM THE OFFICE
 3. CORNER OF THE DIMENSIONS TO BE USED BY PERCY JOHNSON-MARSHALL & PARTNERS

- ELVINGTON VILLAGE
- INDUSTRIAL ESTATE
- WOODLAND
- YORKSHIRE AIR MUSEUM
- AIRFIELD BUSINESS PARK (ABP)

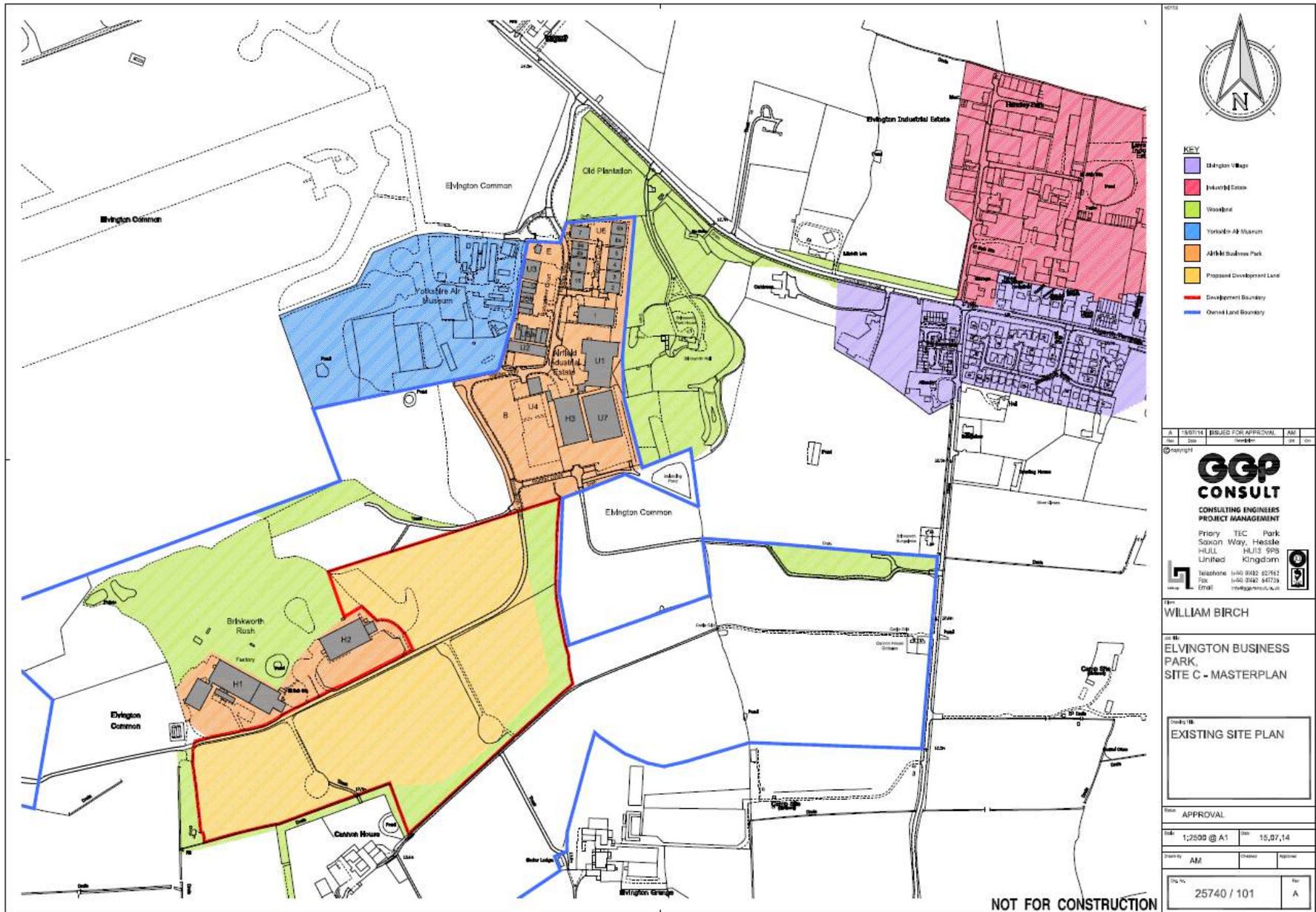
PERCY JOHNSON-MARSHALL & PARTNERS
 CONSULTANTS: 45 BARNBY ROAD, LEAMINGTON SPA, CV31 3JH. TEL: 01922 400000. FAX: 01922 400002.

**AIRFIELD BUSINESS PARK
 ELVINGTON**

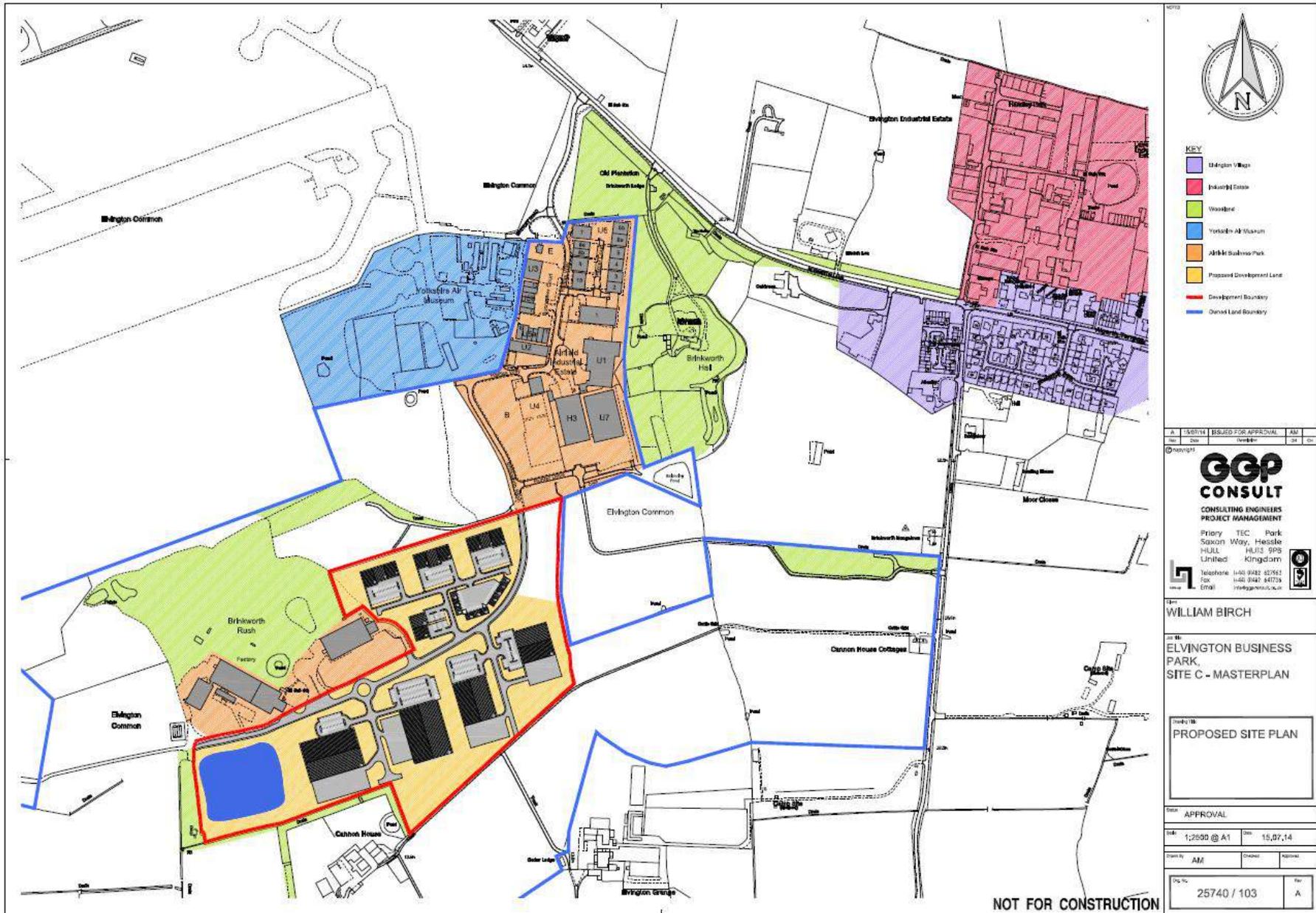
PROPOSED ESTATE DEVELOPMENT PLAN

DATE: 21/78	REVISED: SK04	SCALE: 1:1000
DRAWN BY: WILLIAM BIRCH & SONS LTD		CHECKED BY: Feb 2002
BY: NTS		DATE: Feb 2002
PROJECT NO: 001/1801/2004		SCALE: 1:1000

Initial Masterplan 2002



Existing Site Plan for the Extent of the Draft Local Plan Allocation and Safeguarded Land



Proposed Masterplan for Phases 3 and 4

VISION FOR DEVELOPMENT OF PHASES 3 AND 4

1.0 History

- 1.1 Airfield Business Park (ABP) has been developed over the last 15 years to provide a high quality business environment for local and incoming companies.
- 1.2 The success of Phase 1 and Phase 2 at the ABP is evidenced by:
- The number of businesses which have expanded on the site
 - The very low turnover rate of businesses
 - Low vacancy levels.
- 1.3 Reasons for the popularity of ABP have been:
- Location on the South side of York and accessibility
 - Proximity to labour force
 - High quality environment
 - Good quality buildings
 - Space to expand.
- 1.4 One area where Elvington has had major advantage over other employment sites has been the ownership of the site by William Birch and Sons which has acted as both Developer and Construction Company. The company has been particularly enlightened and supportive in enabling businesses to move up to larger premises and for some of the bigger occupiers land has been set aside to enable future expansion. York Mailing, The Potter Group and Star Tubes, have all benefited from this foresight.
- ### **2.0 Ownership**
- 2.1 William Birch and Sons have owned land on Elvington Airfield since the 1950s with a view to establishing a thriving and attractive business park, to serve demand for B1(b), B1(c), B2 and B8 uses to the south side of York. Over the years wartime buildings have been replaced enabling the construction of a modern business park over the last 15 years.
- 2.2 The blue line on the Masterplan for Site C includes the full extent of land which has or is owned by William Birch and Sons since the 1950s. Much of the land associated with the areas of the business park which have already been built and are occupied have, however, now been sold.
- 2.3 The area proposed for development, approximately 15 ha (outlined in blue on Plan A) is wholly within the ownership of the company who are committed to the long term development of the Phases 3 and 4 of the ABP following the success of Phases 1 and 2.

3.0 Infrastructure

3.1 The commitment to the ABP by William Birch and Sons is evident by the investment which has been made in establishing the necessary infrastructure to service the future of ABP. This includes the construction of a spine road, the provision of substantial electrical capacity, foul and surface water drainage, etc.

4.0 Development principles

4.1 The following are a set of general principles which have informed the preparation of the Masterplan for Phases 3 and 4 of Airfield Business Park:

- Occupiers will be within the B1(b), B1(c), B2 and B8 use classes
- Buildings will be of high quality to attract aspirational local companies and to provide an environment suitable for national and international companies
- The natural environment will be protected and enhanced to become one of the major features of ABP, and in order to protect the existing habitats
- A range of unit sizes will be provided to attract a broad range of businesses and to provide opportunities for expansion
- Some of the larger units will be provided with additional land for future expansion
- Sites will be available for low density uses
- Buildings will be available both for sale and to let.

5.0 Phasing

5.1 The existing infrastructure allows for a very considerable degree of flexibility in determining the phasing of the development and will allow the Developers to respond to specific requirements without having to incur a disproportionate level of costs in relation to infrastructure.

5.2 The presence of an existing spine road through the area to be developed helps provide this flexibility.

5.3 The Masterplan shows the site divided into a series of blocks capable of accommodating a building of up to 4,500 sq m or a courtyard development of smaller units, similar in scale to the existing Harrier Court. Larger requirements can be accommodated by aggregating blocks to provide future proofing for occupiers. This would require vacant plots to be left between the largest units to accommodate expansion. These plots will be capable of being developed independently if any anticipated expansion does not materialise.

5.4 B2 uses will be located at the western end of the allocation at the furthest point from residential property.

6.0 Demand Assumptions

6.1 The figures used in the employment reports prepared as part of the Evidence Base by Entec and others have assumed the following correlations between Uses and employment:

B1(b)	1 job per 29 sq m
B1(c) and B2	1 job per 34 sq m
B8	1 job per 50 sq m

6.2 The Entec report qualifies these figures:

“The relationship between floor space and employment (the employment density) for traditional (B2) is not as close as it is in office based sectors. This is due to these uses employing a wide variety of processes and producing a wide variety of products. This means that industrial uses tend to have a greater relationship with productivity/inventory and floor space than between employment and floor space.”

6.3 This qualification applies to ABP. The net area developed to date is just under 14 ha. The number of people employed over the whole Business Park is around 450 persons. This gives an average of 33 jobs per hectare. This average density is increased by the largest employer on ABP which operates a shift system. A future average of 30 jobs per ha is therefore realistic.

6.4 The existing occupiers at Elvington include one pure warehouse operation. The other occupiers all combine a combination of production and storage in their uses. To provide the quality environment envisioned it is anticipated that the average density of development will be 3,300 sq m per ha. Approximately 1.5 ha will be required to meet existing parking and known lorry parking and open storage requirements.

Jobs per ha	30
Floorspace per ha	3,300 sq m
Gross area proposed	15 ha
Allowance for roads and landscaping	4ha
Net developable are	11 ha
Lorry parking and open space uses	1.5 ha
Net developed area	9.5 ha
Total floor area	31,350 sq m
Potential employment	285

6.5 It is anticipated that demand for properties will cover a similar range to the initial phases with units ranging from 150 sq m, to 3,000 sq m. Units similar to Buccaneer Court will be built on a speculative basis, whilst larger units will be built to meet specific requirements.

From: Philip Holmes [p.holmes@oneill-associates.co.uk]
Sent: 04 April 2018 19:04
To: localplan@york.gov.uk
Subject: Publication Draft Local Plan Consultation - Representations in respect of Site H1, former gas works, Heworth Green
Attachments: Site H1 Heworth Green - Response Form 4.4.18.pdf; Site H1 Heworth Green - LP Reps Apr 18.pdf

Please find attached representations submitted in respect of allocated Site H1 comprising the former gas works at Heworth Green.

I trust this is in order, but if you have any issues with receipt of the submitted documents please contact me.

Kind regards

Philip Holmes



Philip Holmes

www.oneill-associates.co.uk

Lancaster House
James Nicolson Link
Clifton Moor
York YO30 4GR
01904 692313

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

OFFICE USE ONLY:

ID reference:

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

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

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

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

Part A - Personal Details

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

1. Personal Details		2. Agent's Details (if applicable)
Title		
First Name		Janet
Last Name		O'Neill
Organisation (where relevant)		O'Neill Associates
Representing (if applicable)		Heworth Green Gasworks Ltd
Address – line 1		Lancaster House
Address – line 2		James Nicolson Link
Address – line 3		Clifton Moor
Address – line 4		York
Address – line 5		
Postcode		YO30 4GR
E-mail Address		j.oneill@oneill-associates.co.uk
Telephone Number		01904 692313

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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

Yes

No

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

Yes

No

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

With regard to the duty to co-operate it may be the case the Council has consulted with neighbouring authorities, but some of those authorities have expressed concerns that have not been fully resolved. Annex B to Agenda item 11 on the report of the Local Plan to the Council's Executive on the 25th January reported:

Hambleton Council: "...It [the Draft Plan] does not safeguard land for development and recognises the build out time of the Strategic sites will extend beyond the plan period. The proposed detailed boundaries of the Green Belt offer little opportunity to accommodate the increased level of growth proposed. If the City of York does not ensure that its longer-term development needs are met this will place pressure on area in neighbouring authorities"

Leeds city region LEP: "York has not applied the 10% market signals adjustment as recommended in the York 2017 Strategic Housing Market Assessment".

Ryedale Council: Discussions ongoing

Harrogate Council: Discussions ongoing

Selby District Council: "Having read the SHMA Addendum, it is noted that this figure does not take into account the level of employment growth proposed by the Local Plan.....Whilst you are confident that you can realise the growth aspirations detailed within the Pre-Publication Local Plan within the City of York Boundary, Selby District Council is concerned that any increases to this figure could raise significant cross-boundary issues".

Selby Council requested additional information on Strategic Site ST15 and the University Site ST27 before providing any further comments on the potential impact these allocations may have on Selby.

What these comments demonstrate is that whilst the Council may have engaged in a process of dialogue with neighbouring authorities, it has not produced outcomes that have addressed some significant concerns of neighbouring authorities. Indeed, at this stage the views of some adjoining Authorities are not known and it is difficult to see how, in these circumstances, the Duty to Co-Operate has been complied with.

What does ‘Sound’ mean?

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

What makes a Local Plan “sound”?

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

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

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

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

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

Yes No

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

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

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

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

(Complete any that apply)

Paragraph no.	<input type="text"/>	Policy	<input type="text" value="Policies H1, H2"/>	Site Ref.	<input type="text" value="H1"/>
---------------	----------------------	--------	--	-----------	---------------------------------

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 representations statement ref. *yhg1804.lpreps*, dated April 2018.

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

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

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

See representations statement ref. *yhg1804.lpreps*, dated April 2018.

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

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

Yes, I wish to appear at the examination

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

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

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

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Signature

Date

4 April 2018

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

CITY OF YORK LOCAL PLAN
PUBLICATION DRAFT CONSULTATION

REPRESENTATIONS IN RESPECT OF ALLOCATED SITE HI
FORMER GAS WORKS, HEWORTH GREEN, YORK

APRIL 2018



Chartered Town Planning Consultants

CITY OF YORK LOCAL PLAN
PUBLICATION DRAFT CONSULTATION

REPRESENTATIONS IN RESPECT OF ALLOCATED SITE HI
FORMER GAS WORKS, HEWORTH GREEN, YORK

Contents

1. Introduction
2. Planning History
3. Allocation OF Site HI - Publication Draft Local Plan
4. Representations
5. Conclusions

Appendices

1. Local Plan Publication Draft Consultation Response Form
2. Location Plan
3. Indicative Plans

yhgl804.lpreps
April 2018

1.0 INTRODUCTION

- 1.1 This statement is provided as a representation on behalf of Heworth Green Gasworks Ltd in respect of its land comprising the former gas works at Heworth Green as part of the consultation on City of York Council's Publication Draft Local Plan.
- 1.2 The site comprises a triangular area of land measuring approximately 3.54ha located to the south of Heworth Green at the northeast edge of York City Centre (ref. Location Plan, Appendix 2). The site was formerly owned and operated by Northern Gas Networks (NGN) and the National Grid. NGN's former land holding measures 0.67ha and includes a strip of land housing pipeline infrastructure to the west of the site adjacent to Eboracum Way, as well as land to the south occupied by a large gas holder. The former National Grid land occupies the remainder of the site, and measures 2.87ha. The site is currently vacant, having been cleared of development save for the gas holder, pipeline and a small number of remaining buildings, and the entirety of the site is now under the control of a group of York investors.
- 1.3 The Local Plan Publication Draft proposes allocation of the site (ref. S1) for residential development. While this allocation is supported by the new landowners, this representation seeks to make comments in respect of the housing yield and redevelopment phasing for the site which we trust will be taken into account in consideration of the site.

2.0 PLANNING HISTORY

03/04046/OUT

- 2.1 Outline planning permission (ref. 03/04046/OUT) for redevelopment of the former gasworks was originally granted on 23 November 2006, following submission of a planning application in December 2003. The development as approved was for a mixed use development scheme, comprising up to 306 dwellings and up to 1,860m² of office space.
- 2.2 The indicative masterplan submitted with the application illustrated the residential element as being primarily provided in apartment blocks with some townhouses to the northeast of the site and the smaller office use element to the northwest corner. Condition 4 of the outline consent required development to be carried out in accordance with a Land Use Diagram and Building Heights drawing which identified building heights of 2, 3 and 3-4 storeys across the site. Condition 16 of the outline permission stated that the residential element was to be provided in accordance with an

accommodation schedule of 141 one-bedroom flats, 141 two-bedroom flats, 12 three-bedroom houses and 12 four-bedroom houses.

06/02764/FUL

- 2.3 Permission 03/04046/OUT was subsequently subject of a Section 73 planning application submitted by National Grid in December 2006 to vary the wording of a number of outline planning conditions to allow site-wide clearance and remediation works prior to commencement of development. This application (ref. 06/02764/FUL) was approved on 14 April 2008.

09/00632/FUL

- 2.4 A further Section 73 application, to vary Condition 14 of outline permission 03/04046/OUT, was submitted by National Grid in April 2009. This was made in order to allow the site to be developed with a reduced number of 119 dwellings, mainly comprising a mix of 2, 3, and 4-bedroom family homes plus 12 two-bedroom apartments. The approval, granted on 30 September 2009, also covered variation of Condition 4 to allow a revised Land Use Diagram and Building Heights plan specifying that the range of building heights identified on the plan were not prescriptive and related to maximum heights only.

09/02081/FULM

- 2.5 A full planning application was submitted in November 2009 for a new planning permission to replace the then extant planning 09/00632/FUL in order to extend the time limit for implementation of the application. National Grid requested permission for an extension of three years, but a shorter period of two years was approved by Members at Planning Committee on 17 February 2010. The planning permission was granted on 7 September 2010 and, as with the previous permissions, has now expired without implementation.

3.0 **ALLOCATION OF SITE H1 - PUBLICATION DRAFT LOCAL PLAN**

- 3.1 Table 5.1 in Policy H1 (Housing Allocations) of the Publication Draft Local Plan allocates the former gasworks site as housing site H1, having an overall site area of 3.54ha and a total estimated yield of 336 dwellings.

- 3.2 The Table splits the site into 'Phase 1' and 'Phase 2' development areas. Phase 1 relates to the former National Grid holding of 2.87ha and is stated as being capable of delivering 271 units entirely within the short to medium term (Years 1 to 10 of the Plan). Phase 2 relates to the NGN land of 0.67ha, and is expected to deliver a further 65 dwellings but only in the medium term (Years 6 to 10 of the Plan).

- 3.3 The estimated yield derives from the Council's assessment of the site as being a large site (over 1ha) within the 'City Centre and City Centre Extension' density zone (as illustrated in Figure 5.2 of the Publication Draft Local Plan). Such sites are identified as having a developable area of 95% of the gross site area and a residential yield of 100 dwellings per hectare.
- 3.4 The separation of the site delivery to two phases in the Publication Draft Local Plan is understood to originate from representations made by National Grid as part of the Preferred Sites consultation in 2016. These stated that although the National Grid land (2.87ha) was immediately available for redevelopment, NGN were not at that stage in a position to make its land (0.67ha) available. As such, the Council deemed it necessary to specify that the site will need to be delivered on a phased basis.

4.0 REPRESENTATIONS

- 4.1 Subsequent to previous Local Plan representations, the site has now come under sole control of a group of York investors, and preparatory work is underway to progress a revised scheme for residential development of the site. It is the owners' intention to submit a new outline planning application later this year.
- 4.2 Whilst the new owners welcome and support the principle of allocation for its land, in light of their work on the revised proposals it is considered that there is potential for the site to be re-assessed in terms of housing yield and delivery.

Housing Yield

- 4.3 The site is located in an area where neighbouring development includes 4 and 5-storey apartment, office and hotel blocks of similar height adjacent to Eboracum Way, as well as 2-and 3-storey residential development adjacent to the site boundaries at Heworth Green, Mill Lane and Hawthorn Grove/Layerthorpe. The site is not surrounded by significant existing boundary tree planting of any quality, and is otherwise not subject to constraints which would limit the developable area.
- 4.4 The landowners have appointed a new design team to progress an indicative masterplan for residential development of the site following a comprehensive appraisal of the site context, constraints and opportunities. This indicative plans included at Appendix 3 indicate that the site capacity is circa 490 dwellings, based on residential and elderly living apartment blocks providing a mix of 1, 2 and 3-bed units, together with a smaller element of townhouses. Building heights for the proposed blocks would range from predominantly 5-storeys at the western end of the site adjacent to Eboracum Way to 3-

storeys toward the northern end of the site adjacent to Heworth Green. The townhouses at the eastern end of the site would be 2 to 3 storeys in height.

- 4.5 It is considered that this would represent a suitable and appropriate level of development for the site, which will provide a high level of residential amenity without harm to surrounding development or the adjacent Conservation Area. As such, the draft masterplan indicates that the site is capable of delivering a significantly higher quantum of development than is proposed in the Draft Local Plan.

Housing Delivery

- 4.6 The entire site is now under the control of the new landowners, negating the previously identified need for the redevelopment to be separated into two phases of delivery.
- 4.7 Furthermore, it is considered that the site is capable of being viably delivered in the short term (i.e. Years 1 to 5 of the Plan), due to the following factors;
- The owners are committed to submitting an outline application this year, which will be followed as soon as approval is granted by a detailed planning application
 - The site already has developers actively promoting the development of the site
 - The previous EIA for the site demonstrates the extent of contamination which can be mitigated and is not considered a showstopper for development
 - Separate approval for, and completion of, site clearance work can be undertaken concurrently with the planning process for the proposed redevelopment
 - The revised layout for apartment blocks will allow development to be completed sooner and allow the units to be brought forward in the early years of the plan

Soundness of the Publication Draft Local Plan

- 4.8 It is noted that the emerging Local Plan has come under sustained and widespread criticism from parties including land promoters, owners, agents and developers, with a significant number of representations stating that the Council's assessment of its housing requirement and allocations are inadequate for the following reasons:
- (i) The housing requirement is too low;
 - (ii) The calculation of completions since 2012 is too high (i.e. the Council's estimate of backlog is too low)
 - (iii) Outstanding commitments include student housing that should be excluded; and
 - (iv) The assumptions on windfalls are questionable and should not be treated as a component of the Plan

- 4.9 It is also noted that the Publication Draft Plan is heavily reliant on a small number of strategic housing sites, including Site H1, to meet its identified housing need. A total of 16 strategic sites are assessed as contributing approximately 13,500 houses, with smaller housing allocations assessed as yielding 1,500 units. This means that the 16 strategic sites make up around 90% of the identified total housing yield from the allocated sites. However, the long lead-in times for development of a number of these sites means that the Council will be faced with a shortfall of delivery, particularly in the early years of the Plan. As a result of this shortfall, there is a significant risk that, if the Plan were to be adopted in its current form, the housing policies would immediately be out of date due to the lack of a 5-year deliverable housing land supply.
- 4.10 Given the above, it is maintained that the Council will have to allocate further sites, **and re-appraise the yields and delivery from sites that are allocated**, if it is to address York's housing need and deliver a sound Local Plan. In this context, there is scope for the allocation for Site S1 to be reassessed in terms of increasing the quantum of development and bringing forward the phasing of delivery to Years 1 to 5 of the Plan. Both these amendments would make an entirely positive contribution to meeting York's housing need, as well as to the need to deliver homes in the early years of the Plan.

5.0 CONCLUSIONS

- 5.1 The former gas works site represents a suitable brownfield site for housing in a sustainable location with good access to services, public transport and cycle links. The site is allocated as Site S1 in the Publication Draft Local Plan for a total of 336 houses.
- 5.2 The site is now under the control of a group of local investors, and continues to represent a suitable, available and viable housing site which would provide a significant level of housing to make a valuable contribution to York's housing need. Whilst the owners support its allocation in the Draft Plan, it is considered the site should be reassessed in terms of both the quantum and estimated phasing of the of development to reflect their intentions to bring the site forward for development in the short term. As such, it is proposed that the allocation in the Draft Plan be changed to;
- Increase the total estimated housing yield to 490 dwellings
 - Amend the estimated phasing of delivery to the short term (Years 1 to 5 of the Plan)
- 5.3 The proposed changes to the allocation are made in context of considerable doubt over the Council's overall assessment of its housing requirement, and over whether the housing allocations that are currently proposed could deliver the number of dwellings identified. It is considered that the Council will need to re-appraise the yields and

delivery from sites that are allocated, as well as allocate new sites, if it is to address York's housing need and deliver a sound Local Plan. The changes to the allocation as proposed would have a significantly positive contribution both to meeting the housing need, and crucially in allowing for delivery within the early years of the plan.

yhg1804.lpreps
April 2018

APPENDIX I

Local Plan Publication Draft Consultation Response Form

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

OFFICE USE ONLY:

ID reference:

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

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

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

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

Part A - Personal Details

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

1. Personal Details		2. Agent's Details (if applicable)
Title		
First Name		Janet
Last Name		O'Neill
Organisation (where relevant)		O'Neill Associates
Representing (if applicable)		Heworth Green Gasworks Ltd
Address – line 1		Lancaster House
Address – line 2		James Nicolson Link
Address – line 3		Clifton Moor
Address – line 4		York
Address – line 5		
Postcode		YO30 4GR
E-mail Address		j.oneill@oneill-associates.co.uk
Telephone Number		01904 692313

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

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at 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 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.
- 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

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

Yes

No

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

Yes

No

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

With regard to the duty to co-operate it may be the case the Council has consulted with neighbouring authorities, but some of those authorities have expressed concerns that have not been fully resolved. Annex B to Agenda item 11 on the report of the Local Plan to the Council's Executive on the 25th January reported:

Hambleton Council: *"...It [the Draft Plan] does not safeguard land for development and recognises the build out time of the Strategic sites will extend beyond the plan period. The proposed detailed boundaries of the Green Belt offer little opportunity to accommodate the increased level of growth proposed. If the City of York does not ensure that its longer-term development needs are met this will place pressure on area in neighbouring authorities"*

Leeds city region LEP: *"York has not applied the 10% market signals adjustment as recommended in the York 2017 Strategic Housing Market Assessment"*.

Ryedale Council: Discussions ongoing

Harrogate Council: Discussions ongoing

Selby District Council: *"Having read the SHMA Addendum, it is noted that this figure does not take into account the level of employment growth proposed by the Local Plan.....Whilst you are confident that you can realise the growth aspirations detailed within the Pre-Publication Local Plan within the City of York Boundary, Selby District Council is concerned that any increases to this figure could raise significant cross-boundary issues"*.

Selby Council requested additional information on Strategic Site ST15 and the University Site ST27 before providing any further comments on the potential impact these allocations may have on Selby.

What these comments demonstrate is that whilst the Council may have engaged in a process of dialogue with neighbouring authorities, it has not produced outcomes that have addressed some significant concerns of neighbouring authorities. Indeed, at this stage the views of some adjoining Authorities are not known and it is difficult to see how, in these circumstances, the Duty to Co-Operate has been complied with.

What does ‘Sound’ mean?

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

What makes a Local Plan “sound”?

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

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

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

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

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

Yes No

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

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

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

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

(Complete any that apply)

Paragraph no.	<input type="text"/>	Policy	<input type="text" value="Policies H1, H2"/>	Site Ref.	<input type="text" value="H1"/>
---------------	----------------------	--------	--	-----------	---------------------------------

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 representations statement ref. *yhg1804.lpreps*, dated April 2018.

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

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Signature

Date

4 April 2018

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

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

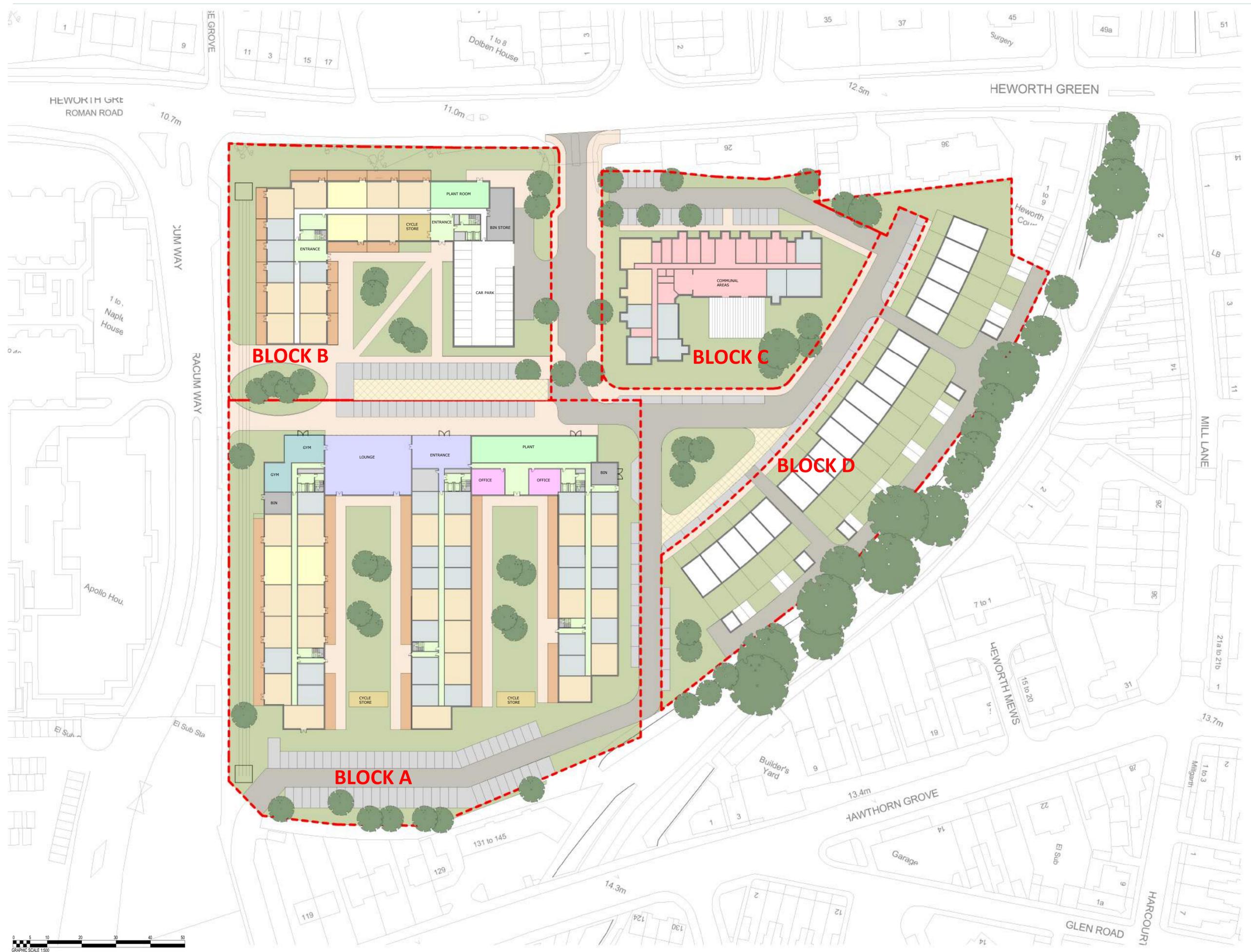
APPENDIX 2

Location Plan

APPENDIX 3

Indicative Plans

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REV	DESCRIPTION	INITIALS/DATE
1	1 BED	
2	2 BED	
3	3 BED	
4	BIN STORE	
5	CIRCULATION	
6	PLANT ROOM	
7	CYCLE STORE	
8	HOUSING	
9	OFFICE	
10	RESIDENTS LOUNGE	
11	COMMUNAL AREAS	

JOB NAME
HEWORTH GAS WORKS
RESIDENTIAL MASTERPLAN
YORK

DRAWING TITLE
GROUND FLOOR LEVEL

STATUS
PRELIMINARY

DATE JAN '18 **SHEET BY** V.K. **SCALE @ SIZE** 1:500 @A1

JOB NO. 4164 **DRAWING NO.** D07-01 **REV**

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- | REV DESCRIPTION | INITIALS/DATE |
|------------------|---------------|
| 1 BED | |
| 2 BED | |
| 3 BED | |
| BIN STORE | |
| CIRCULATION | |
| PLANT ROOM | |
| CYCLE STORE | |
| HOUSING | |
| OFFICE | |
| RESIDENTS LOUNGE | |
| COMMUNAL AREAS | |

BLOCK A

JOB NAME
HEWORTH GAS WORKS
RESIDENTIAL MASTERPLAN
YORK

DRAWING TITLE
FIRST FLOOR LEVEL PLAN

STATUS
PRELIMINARY

DATE: JAN '18 SHEET BY: V.K. SCALE @ SIZE: 1:500@A1

JOB NO.: 4164 DRAWING NO.: D07-02 REV:

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REV DESCRIPTION INITIALS/DATE

- 1 BED
- 2 BED
- 3 BED
- BIN STORE
- CIRCULATION
- PLANT ROOM
- CYCLE STORE
- HOUSING
- OFFICE
- RESIDENTS LOUNGE
- COMMUNAL AREAS



JOB NAME
HEWORTH GAS WORKS
RESIDENTIAL MASTERPLAN
YORK

DRAWING TITLE
SECOND FLOOR PLAN

STATUS
PRELIMINARY

DATE JAN'18 SHEET BY V.K. SCALE @ SIZE 1:500 @A1

JOB NO. 4164 DRAWING NO. D07-03 REV

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REV	DESCRIPTION	INITIALS/DATE

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- OFFICE
- RESIDENTS LOUNGE
- COMMUNAL AREAS

JOB NAME
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RESIDENTIAL MASTERPLAN
YORK

DRAWING TITLE
FOURTH FLOOR PLAN

STATUS
PRELIMINARY

DATE 02/20/18 V.K. SHEET BY SCALE @ SIZE
1:500 @A1

JOB NO. 4164 DRAWING NO. D07-05 REV

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REV	DESCRIPTION	INITIALS/DATE
	1 BED	
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	BIN STORE	
	CIRCULATION	
	PLANT ROOM	
	CYCLE STORE	
	HOUSING	
	OFFICE	
	RESIDENTS LOUNGE	
	COMMUNAL AREAS	

JOB NAME
HEWORTH GAS WORKS
RESIDENTIAL MASTERPLAN
YORK

DRAWING TITLE
FIFTH FLOOR PLAN

STATUS
PRELIMINARY

DATE: JAN'18 SHEET BY: V.K. SCALE @ SIZE: 1:500@A1

JOB NO.: 4164 DRAWING NO.: D07-06 REV:

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From: planningconsultation@coal.gov.uk
Sent: 09 April 2018 10:35
To: localplan@york.gov.uk
Subject: (4) City of York Local Plan: Publication Draft Regulation 19 Consultation
Attachments: Consultation-Response-PPO-006-800-124.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Strategic Planning

Following the policy consultation on 21 February 2018, please find attached our comments relating to the above policy.

If you would like to discuss any of the issues raised, please contact us.

Regards

Planning and Local Authority Liaison team

T: 01623 637119

E: planningconsultation@coal.gov.uk

W: <https://www.gov.uk/coalauthority>

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The Coal
Authority

City of York Local Plan: Publication Draft - Regulation 19 Consultation

Consultation Deadline – 11 April 2018

Contact Details

Planning and Local Authority Liaison Department
The Coal Authority
200 Lichfield Lane
Berry Hill
MANSFIELD
Nottinghamshire
NG18 4RG

Planning Email: planningconsultation@coal.gov.uk
Planning Enquiries: 01623 637 119

Date

9 April 2018

City of York Local Plan: Publication Draft - Regulation 19 Consultation

Thank you for your notification received on the 21 February 2018 in respect of the above consultation.

As you are aware there is limited coal mining legacy in the York City area, with our records indicating the presence of only two mine entries.

I have reviewed the documents and can confirm that the Coal Authority has no specific comments to make.

Regards

Melanie Lindsley

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI
Team Leader - Planning Liaison

From: Jonathan Wharton Street [REDACTED]
Sent: 09 April 2018 10:42
To: localplan@york.gov.uk
Cc: Jonathan Wharton Street
Subject: Objection to the building of houses on site H39 within the City of York's Local Plan 2017/2018.

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Objection to the building of houses on site H39 within the City of York's Local Plan 2017/2018.

Dear Sir/Madam, In conjunction with fellow residents of Elvington, and indeed Beckside, Please take this email as an objection to the building of houses on the Green Field site H39 documented within the City of York's Local Plan 2017/2018 for the following reasons;

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, at the time, 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 2017/2018 Local Plan, the City of York council proposes **28/32 houses** on the same Beckside/Church Lane site, despite also proposing 3,339 houses less than 2 miles away, at Elvington Airfield. There is no need for these houses in this location and the subsequent disruption they will bring to this part of the village when 3,339 houses are proposed to be built less than 2 miles away and an alternative, larger site has been suggested and approved by the Village Council.

2.What has changed from the previous objections and Inspector's Report? NOTHING.

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 and I believe **NOTHING** has fundamentally changed in the interim. Indeed, I stress, why is there a need for 28/32 houses on this **GREEN FIELD** site when they are also proposing **3339 houses less than 2 miles away**, at Elvington Airfield on a much more suitable **BROWN FIELD** site??

Despite requests for the councils response to previous objections, you continue to propose building on the same site and I can only assume that you hope that the Elvington residents will grow weary of protesting and apathy will prevail.

3.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 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 and Deer's, **ALL** remain the same today as they were in 1992/93 and 2013. Those objections **ALL REMAIN** valid now.

4. Democracy in action?

Below I have listed key points to the failings of CYC's handling of these processes and recommendations;

- A. There never appears to be any direct response to the objections raised. At best there are generic responses and references out to further documentation to read. Why can't you respond in plain English?
- B. The constant requirements from CYC to resubmit new submissions with the previous submissions being ignored feels a lot like censorship? It smacks of an attempt to reduce the number of submissions (and thus objections) and does not fill us with confidence in CYC and the way you manage these plans and subsequent objections!

The CYC knows full well that constant reviews requiring new submissions will whittle down the number of objections. They also know that by making it a chore to complete the applications, apathy will kick in, people get fed up and don't bother and the numbers of objections will reduce.

This is your day job, but we have lives to live, yet we're constantly having to submit to these ridiculous policies. I suggest:-

- 1. CYS will have all of the names of those who provided a submission on a database. Instead of relying on public announcements in papers, that many don't read, how about emailing those people direct and notifying them of the results of their submission. Provide links to the following reviews and make it easier to continue to engage in the process. There were 100 representations to the Proposal to build North of Church Lane (H39). How many of those people know about the need to resubmit?
- 2. Allow the objections submitted previously to be reused in the original format if requested.
- 3. If the CYC knows that subsequent submission to government are going to be in different formats, why not require us to submit in that format to begin with?

- C. The views of local people and local councils are being ignored. We are not adverse to new houses being built in the village. Many [REDACTED] have outgrown their houses in the village and there is a distinct lack of larger houses available. [REDACTED] appreciate there needs to be more available housing but not at the expense of the beautiful Church Lane and Beckside which is at maximum capacity for all the reasons mentioned above! So why, are suggestions such as the replacement of H39 (Church Lane) with a larger build site of H26 (Dauby Lane) not being accepted. Comments such as 'H26 would constitute a significant change to the shape and form of the current village' clearly show a lack of knowledge about the village, ignore precedents set by past planning decisions (Elvington Park etc) and totally ignore the wishes and considerations of local villagers and the local village council?

IF you have read my objection, along with others you may see a pattern in terms of the format of these objections being very similar, this is because as a community we care, we are passionate and we have invested in Elvington. We need to work with CYC to ensure the village is gown and managed in a sensible manor with careful planning, which is currently not being done by CYC. It will also hopefully prove to CYC that regardless of how many times you make submissions we will pull together as a community to object for all the right reasons that have been set in the past and still hold today and in the future.

Yours Sincerely

Jonathan Wharton-Street

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[REDACTED]

From: [REDACTED]
Sent: 09 April 2018 12:06
To: localplan@york.gov.uk
Subject: Local Plan

Follow Up Flag: Follow up
Flag Status: Flagged

Dear sir/madam

I just wanted to lend my support and thank the designers of the new Local Plan which is addressing pressures of the housing market in York through the use of brownfield sites wherever possible. Aside from providing much needed housing, and business premises, the Local Plan also helps to protect and recognise the importance of the green belt land which surrounds this beautiful and historic city of York.

In my opinion the careful and thoughtful planning that has gone in to the Local Plan will help support the City for many generations.

Thank you

Julie Ainsworth
[REDACTED]
[REDACTED]
[REDACTED]

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City of York Council

09 APR 2018

RECEIVED

Patrick Trimble

Dear Sir/Madam,

I am writing in reply to a letter which was sent to My Son, Thomas Eric Trimble about REVISED BOUNDARY APPLICATION.

Can I ask that all correspondants regarding this matter is sent to myself at the above address, as I am the owner of the land in which my son runs his business Tannery Fields Garage.

Yours sincerely