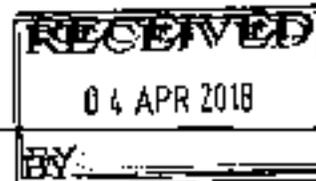


City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

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 | ANNE | |
| Last Name | BROWN | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address – line 1 | | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | | |
| E-mail Address | | |
| Telephone Number | | |

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

Guidance note

Where do I send my completed form?

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

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Do I have to use the response form?

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

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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)

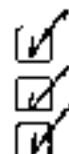


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City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment



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

Yes

No

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

Yes

No

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

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

What does 'Sound' mean?

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

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

5.(1) Do you consider the document is Sound?Yes No

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

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

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

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

(Complete any that apply)

Paragraph
no.Policy
Ref.

Site Ref.

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

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

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

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

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

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

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

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

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

Yes, I wish to appear at the examination

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

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

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

Part C - How we will use your Personal Information

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

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

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

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

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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

Signature:



Date:

23/3/2018

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

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

| |
|------------------|
| OFFICE USE ONLY: |
| ID reference: |
| RECEIVED |
| 04 APR 2018 |
| BY: _____ |

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- **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 | DONALD | |
| Last Name | CLENN | |
| Organisation (where relevant) | NA | |
| Representing (if applicable) | | |
| Address – line 1 | [REDACTED] | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | | |
| Telephone Number | | |

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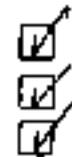
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Yes No

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 | <input type="checkbox"/> | Justified | <input type="checkbox"/> |
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(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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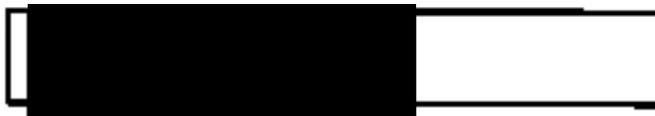
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Signature



Date

23 - MARCH 2018

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OFFICE USE ONLY:

ID reference

RECEIVED

04 APR 2018

BY: _____

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| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|------------|------------------------------------|
| Title | MR | |
| First Name | IAN | |
| Last Name | MCGILLIGAN | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address – line 1 | | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | | |
| E-mail Address | | |
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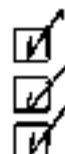
(Please use a separate Part B form for each issue to you want to raise)

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

Yes

No

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

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No

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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 type="checkbox"/> | Justified | <input type="checkbox"/> |
| Effective | <input type="checkbox"/> | Consistent with national policy | <input type="checkbox"/> |

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

(Complete any that apply)

Paragraph
no.

Policy
Ref

Site Ref.

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

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

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

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

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

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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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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

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

OFFICE USE ONLY:
 ID reference

RECEIVED
 04 APR 2018

BY:

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

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

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

Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|------------|------------------------------------|
| Title | MRS | |
| First Name | LYNDA | |
| Last Name | CARR | |
| Organisation (where relevant) | - | |
| Representing (if applicable) | - | |
| Address - line 1 | [REDACTED] | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | [REDACTED] | |
| Telephone Number | - | |

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

Guidance note

Where do I send my completed form?

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

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

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 have to use the response form?

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

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Do I need to attend the Public Examination?

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Part B - Your Representation

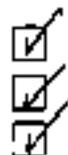
(Please use a separate Part B form for **each** issue to you want to raise)

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

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Policies Map

Sustainability Appraisal/Strategic Environmental Assessment



What does 'legally compliant' mean?

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

Yes No

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

Yes No

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

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

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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 | <input type="checkbox"/> | Justified | <input type="checkbox"/> |
| Effective | <input type="checkbox"/> | Consistent with national policy | <input type="checkbox"/> |

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

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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

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Signature

[Redacted Signature]

Date

31/3/18

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

OFFICE USE ONLY:

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RECEIVED

04 APR 2018

BY: _____

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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 | JOYCE | |
| Last Name | CARR | |
| Organisation (where relevant) | - | |
| Representing (if applicable) | - | |
| Address - line 1 | [REDACTED] | |
| Address - line 2 | [REDACTED] | |
| Address - line 3 | [REDACTED] | |
| Address - line 4 | - | |
| Address - line 5 | - | |
| Postcode | [REDACTED] | |
| E-mail Address | - | |
| Telephone Number | - | |

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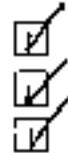
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3. To which document does your response relate? (Please tick one)

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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

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| | | | |
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Paragraph
no.Policy
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Signature

Date

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

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BY: _____

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| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|------|------------------------------------|
| Title | MRS | |
| First Name | JANE | |
| Last Name | BEAN | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address - line 1 | | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | | |
| E-mail Address | | |
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- To: **FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA**
- By email to: localplan@york.gov.uk

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

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Part B - Your Representation

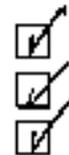
(Please use a separate Part B form for each issue to you want to raise)

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

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Policies Map

Sustainability Appraisal/Strategic Environmental Assessment



What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

What does 'Sound' mean?

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What makes a Local Plan "sound"?

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

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

Yes No

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

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

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

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

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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

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I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

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

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

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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

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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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Signature



Date

3 - 4 - 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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City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

RECEIVED

04 APR 2018

BY:

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

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

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

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

Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|------------|------------------------------------|
| Title | MR | |
| First Name | MARK | |
| Last Name | BISHOP | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address - line 1 | [REDACTED] | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | | |
| Telephone Number | | |

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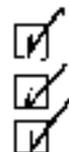


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Yes

No

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| | | | |
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Paragraph
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Signature



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31.03.2018

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

OFFICE USE ONLY:
ID reference:
RECEIVED
04 APR 2018

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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 | Kate | |
| Last Name | Coates | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address - line 1 | [REDACTED] | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | | |
| Telephone Number | | |

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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

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

KS424



809

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

OFFICE USE ONLY:
 ID reference:
RECEIVED
 04 APR 2018
 BY:

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

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

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

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

Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|------------|------------------------------------|
| Title | MR | |
| First Name | ROGER | |
| Last Name | BLAIR | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address - line 1 | [REDACTED] | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | | |
| Telephone Number | | |

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

Guidance note

Where do I send my completed form?

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

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

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

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Do I have to use the response form?

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

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

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Part B - Your Representation

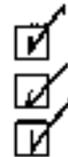
(Please use a separate Part B form for each issue to you want to raise)

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)

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

What does 'Sound' mean?

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

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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 type="checkbox"/> | Justified | <input type="checkbox"/> |
| Effective | <input type="checkbox"/> | Consistent with national policy | <input type="checkbox"/> |

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

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

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

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

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

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

Yes, I wish to appear at the examination

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Signature



Date

3. 4. 2018

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

OFFICE USE ONLY:

ID reference:

| |
|--------------|
| RECEIVED |
| RECEIVED |
| 0-4 APR 2018 |
| BY: _____ |

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Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|------------|------------------------------------|
| Title | WRS | |
| First Name | CHRISTINE | |
| Last Name | WALTERS | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address - line 1 | [REDACTED] | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | | |
| E-mail Address | | |
| Telephone Number | | |

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

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|----------------------------|--------------------------|--|--------------------------|
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Signature



Date

4/4/18

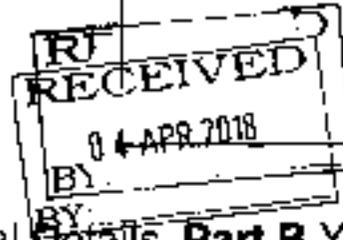
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**City of York Local Plan
Publication Draft 2018
Consultation response form
21 February – 4 April 2018**

OFFICE USE ONLY:
ID reference:



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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|------------|------------------------------------|
| Title | MISS | |
| First Name | Jordane | |
| Last Name | THOMPSON | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address – line 1 | [REDACTED] | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | [REDACTED] | |
| Telephone Number | [REDACTED] | |

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Part B - Your Representation

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

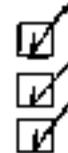


3. To which document does your response relate? (Please tick one)

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)

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

What does 'Sound' mean?

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

What makes a Local Plan "sound"?

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

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

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

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

Yes No

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

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

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

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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

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

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

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

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

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

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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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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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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:

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Retention of Information

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

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Signature



Date

2/4/18

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17.22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

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

OFFICE USE ONLY:

ID reference:



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

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 | STEPHEN | |
| Last Name | NOBLE | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address – line 1 | [REDACTED] | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | | |
| Telephone Number | | |

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Guidance note

Where do I send my completed form?

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- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
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Do I have to use the response form?

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

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

5.(1) Do you consider the document is Sound?Yes No

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

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

| | | | |
|----------------------------|--------------------------|--|--------------------------|
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| Effective | <input type="checkbox"/> | Consistent with national policy | <input type="checkbox"/> |

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(Complete any that apply)

Paragraph
no.Policy
Ref.

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Signature



Date

21 / 3 / 2018

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

OFFICE USE ONLY:

ID reference:

RECEIVED

04 APR 2018

BY: _____

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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 | Roger | |
| Last Name | Pfyt | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address – line 1 | | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | | |
| E-mail Address | | |
| Telephone Number | | |

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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?

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No

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

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

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| | | | |
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Retention of Information

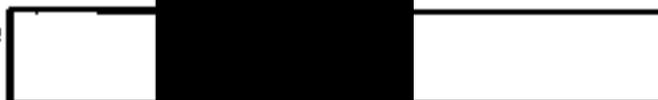
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Signature



Date

31 March 2018

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BY: _____

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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 | CAROL | |
| Last Name | MURRAY | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address – line 1 | [REDACTED] | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | | |
| Telephone Number | | |

Representations must be received by Wednesday 4 April 2018, up until midnight.
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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

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Part B - Your Representation

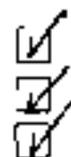
(Please use a separate Part B form for each issue that you want to raise)

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)

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

What does 'Sound' mean?

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

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

5.(1) Do you consider the document is Sound?Yes No

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

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

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

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

(Complete any that apply)

Paragraph
no.Policy
Ref.

Site Ref.

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

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

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

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

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

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

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

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



Yes, I wish to appear at the examination



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

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

Retention of Information

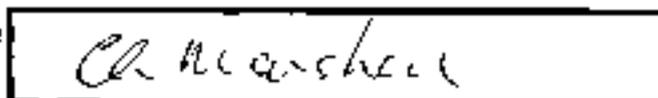
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local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

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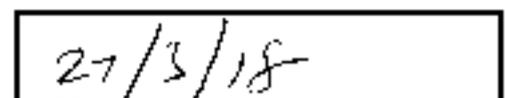
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Signature



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

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

| |
|--|
| OFFICE USE ONLY: ID reference: RECEIVED 04 APR 2018 BY: _____ |
|--|

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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 | STUART | |
| Last Name | ALLTON | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address – line 1 | [REDACTED] | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | | |
| E-mail Address | | |
| Telephone Number | | |

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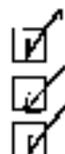


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No

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5.(1) Do you consider the document is Sound?Yes No

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

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

| | | | |
|---------------------|--------------------------|---------------------------------|--------------------------|
| Positively prepared | <input type="checkbox"/> | Justified | <input type="checkbox"/> |
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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: |
| RECEIVED |
| 04 APR 2018 |
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|-------------------------------|-------|------------------------------------|
| Title | MR | |
| First Name | JOHN | |
| Last Name | DILEY | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address – line 1 | | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | | |
| E-mail Address | | |
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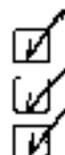


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Representations received after this time will not be considered duly made.

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

Yes No

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

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

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

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

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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

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

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

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

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

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

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Yes, I wish to appear at the examination

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Signature



Date

27 MARCH 2018

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

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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

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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 | PAULINE | |
| Last Name | BRILL | |
| Organisation (where relevant) | — | |
| Representing (if applicable) | — | |
| Address – line 1 | [REDACTED] | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | [REDACTED] | |
| Telephone Number | [REDACTED] | |

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Guidance note

Where do I send my completed form?

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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.

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Do I need to attend the Public Examination?

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

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- 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)

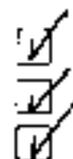


3. To which document does your response relate? (Please tick one)

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)

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

What does 'Sound' mean?

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

What makes a Local Plan "sound"?

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

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

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

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

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

Yes No

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

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

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

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

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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

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

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

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

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

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



Yes, I wish to appear at the examination



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

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Retention of Information

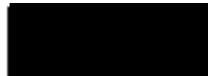
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Signature



Date

30.3.2015

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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:
RECEIVED
 04 APR 2018
 BY:

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

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

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

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

Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|---------|------------------------------------|
| Title | M2 | |
| First Name | ANDREW | |
| Last Name | HODGSON | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address – line 1 | | |
| Address – line 2 | | |
| Address – line 3 | | |
| Address – line 4 | | |
| Address – line 5 | | |
| Postcode | | |
| E-mail Address | | |
| Telephone Number | | |

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

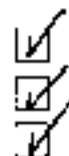


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4. (1) Do you consider the document is Legally compliant?

Yes

No

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

Yes

No

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

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| | | | |
|---------------------|--------------------------|---------------------------------|--------------------------|
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| Effective | <input type="checkbox"/> | Consistent with national policy | <input type="checkbox"/> |

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Signature



Date

2/4/18

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

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

OFFICE USE ONLY:
ID reference:
RECEIVED
04 APR 2018
BY: _____

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Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|------------|------------------------------------|
| Title | MR | |
| First Name | ANTHONY | |
| Last Name | BRILL | |
| Organisation (where relevant) | - | |
| Representing (if applicable) | - | |
| Address - line 1 | [REDACTED] | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | | |
| Telephone Number | | |

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

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What can I make comments on?

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Part B - Your Representation

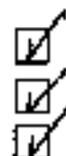
(Please use a separate Part B form for **each** issue to you want to raise)

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)

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

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

5.(1) Do you consider the document is Sound?Yes No

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

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

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

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

(Complete any that apply)

Paragraph
no.Policy
Ref.

Site Ref.

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

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

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

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

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

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

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Retention of Information

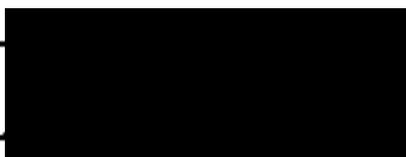
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Signature



Date

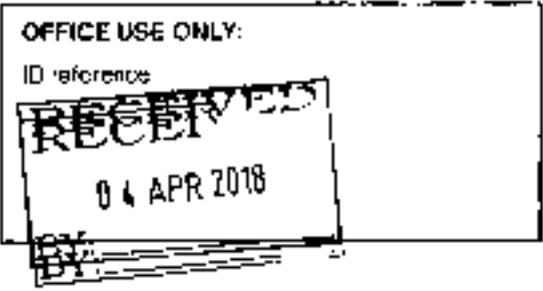
30.3.2018

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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 | MISS | |
| First Name | ALICE | |
| Last Name | HIRST | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address - line 1 | | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | | |
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Positively prepared Justified
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(Complete any that apply)

Paragraph
no

Policy
Ref.

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Signature



Date

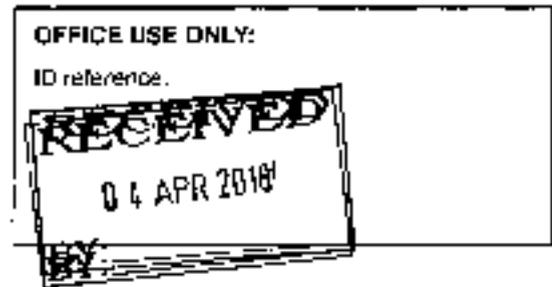
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| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|-----------|------------------------------------|
| Title | Mrs. | |
| First Name | Priscilla | |
| Last Name | OGRAH | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address - line 1 | | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | | |
| E-mail Address | | |
| Telephone Number | | |

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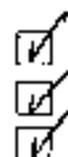


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No

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| | | | |
|---------------------|--------------------------|---------------------------------|--------------------------|
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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

Yes I wish to appear at the examination

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Signature



Date

29.3.18

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

OFFICE USE ONLY:
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RECEIVED
04 APR 2018

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

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

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

Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|------------|------------------------------------|
| Title | MISS | |
| First Name | BECKI | |
| Last Name | LINFOT | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address - line 1 | [REDACTED] | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | | |
| Telephone Number | | |

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

Guidance note

Where do I send my completed form?

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

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

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**.

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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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Part B - Your Representation

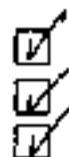
(Please use a separate Part B form for each issue to you want to raise)

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)

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

What does 'Sound' mean?

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

What makes a Local Plan "sound"?

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

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

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

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

5.(1) Do you consider the document is Sound?Yes No

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

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

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

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

(Complete any that apply)

Paragraph
no.Policy
Ref.

Site Ref.

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

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

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

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

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

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

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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



Yes. I wish to appear at the examination



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Signature

Date

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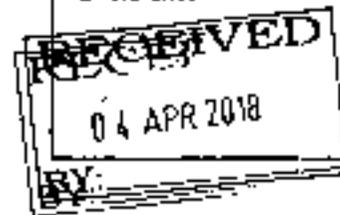
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City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

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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 | FIONA | |
| Last Name | HIRST | |
| Organisation (where relevant) | — | |
| Representing (if applicable) | — | |
| Address - line 1 | [REDACTED] | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | [REDACTED] | |
| E-mail Address | | |
| Telephone Number | | |

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

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

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

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(Complete any that apply)

Paragraph
no.

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Signature



Date

31/3/18

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

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RECEIVED

04 APR 2018

BY:

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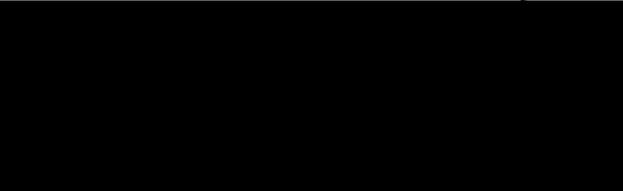
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Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|--|------------------------------------|
| Title | MRS | |
| First Name | YVONNE | |
| Last Name | DOOD | |
| Organisation (where relevant) | | |
| Representing (if applicable) | | |
| Address - line 1 |  | |
| Address - line 2 | | |
| Address - line 3 | | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode |  | |
| E-mail Address | | |
| Telephone Number | | |

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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)

I consider all documents comprising the draft local plan to be legally compliant. In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant.

What does 'Sound' mean?

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

What makes a Local Plan "sound"?

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

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

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

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

5.(1) Do you consider the document is Sound?Yes No

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

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

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

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

(Complete any that apply)

Paragraph
no.Policy
Ref

Site Ref

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

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

I consider all documents comprising the draft local plan to be sound. In respect of the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness.

I believe the draft local plan strikes the right balance between providing the homes and jobs York needs, whilst also protecting the Green Belt, preserving the unique character and setting of York, and maintaining the amenity, sustainability, and resilience of Copmanthorpe, the community in which I live.

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

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

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

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

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

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



Yes. I wish to appear at the examination



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

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

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

Part C - How we will use your Personal Information

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

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

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

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.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. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

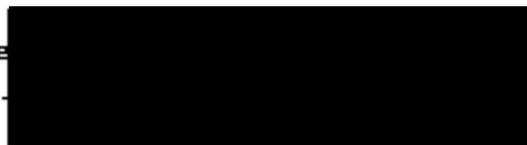
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local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

Signature



Date

30 - 3 - 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:

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

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

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

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

Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|--|------------------------------------|
| Title | COUNCILLOR | |
| First Name | MARK | |
| Last Name | WARTERS | |
| Organisation (where relevant) | CITY OF YORK COUNCIL | |
| Representing (if applicable) | OSBALDWICK PARISH COUNCIL MEADLANDS RESIDENTS ASSOCIATION | |
| Address - line 1 | 9 NEW TREE MEWS | |
| Address - line 2 | OSBALDWICK VILLAGE | |
| Address - line 3 | YORK | |
| Address - line 4 | | |
| Address - line 5 | | |
| Postcode | YO10 3PQ | |
| E-mail Address | MARK@MARKWARTERS.CO.UK | |
| Telephone Number | 01904 413370 | |

Representations must be received by Wednesday 4 April 2018, 1p until midnight.
Representations received after this time will not be considered duly made.

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)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

What does 'Sound' mean?

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

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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.

ATTACHED
 SUBMISSION PARAS. 1.1 TO 7.5.
 DOCUMENTS
 (i) 2006 PUBLIC INQUIRY REF. APP/C2741/W/051189897
 (ii) SOUTHERN RYEDALE LOCAL PLAN (1994)
 INSPECTORS COMMENTS
 (iii) YORK GREEN BELT LOCAL PLAN (1994)
 (iv) PINS LETTER 10/8/16 REF. APP/C2741/W/15/3135274
 (v) PINS LETTER 17/8/16 REF. APP/C2741/W/15/3135274
 (vi) TANG HALL LANE ACCIDENT STUDY 1985 Pgs 17 & 22
 (vii) PROPOSED GREEN BURIAL AREA, OSBALOWICK
 CORRESPONDENCE & MAPS.

Part C - How we will use your Personal Information

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Retention of Information

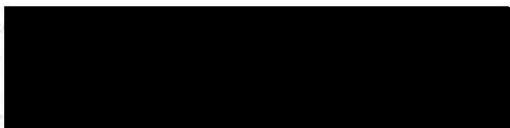
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Signature



Date

2nd 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

1.1. I write as one of the City of York Councillors for the Osbaldwick and Derwent Ward on behalf of Osbaldwick Parish Council, Meadlands Area Residents Association and residents in this ward to highlight matters in the CYC 'Local' Plan in this latest round of 'consultation'.

1.2. Of particular interest to this Ward are the proposals for ST 7, ST 4, ST 15, ST 27 as well as the effects of the wider plan on the whole city and quality of life of existing residents

1.3 I do not consider the Plan as presented to be 'sound' nor in the best interests of the long term protection of the city of York and the long recognised special qualities worthy of protection.

Preamble.

2.1. The 'progression' if it can be termed that way of a development plan for York since the previously approved 1956 plan for the area has been ongoing in the background under various Local Authority structures, working to guidelines of Governments of various political hues whilst development, with many examples detrimental to the primary purpose of York's Greenbelt, has continued seemingly unhindered by any long term strategic direction or consistency.

2.2. Whilst Local Government reorganisation in 1996 created (against the wishes of residents in rural areas) a seemingly unworkable (from a political standpoint) new Unitary Authority, which goes a long way to explaining the subsequent difficulty of progressing a development plan, this final draft and the constant drafting, tearing up, redrafting, rejection at pre-inquiry and rejection at inquiry, of various iterations of a Plan has led to a totally unacceptable delay in strategic planning direction being given to York.

2.3. Such delays and the likelihood of Government intervention to take over the development plan process in York has led to the submission of this latest draft.

2.4. In terms of delays and aborted plans the impact on public consultation should not be underestimated, whenever the latest plan drawn up by whichever political party is in power at the City of York Council is presented to the public (I use the term presentation rather than 'consultation' because that is what it amounts to) there is usually a public outcry if the plan proposals are too damaging to York and that party is subsequently voted out of office at the next possible opportunity leaving the strategic development plan to start again.

2.5. 'Consultation' or more correctly presentation of this latest plan has been subject to the usual fall off in responses, I would use the analogy of a French Foreign Legion march across the desert with the council, developers, landowners and huge numbers of residents setting off, over time the attrition rate of residents leads many to collapse by the wayside leaving most of the council officers, developers and landowners to complete the 'march' to final inspection of the plan along with a few concerned residents.

2.6. Without wishing to burden the inspector in what will undoubtedly be an onerous task, I am surprised that earlier 'consultation' responses are not submitted to independent consideration as those responses have always been subject to being overridden by local political considerations.

2.7. The latest round of 'consultation' certainly in regard to ST 7, is being undertaken with seriously misleading and out of date maps and can not be considered, in the context of earlier statements in the 'Statement of Community Involvement' (most notably, " Seek to provide information in an interesting, clear and accessible way") to be LEGALLY COMPLIANT

2.8. Maps relating to ST 7, despite being dated February 2016, continue to show two candidate SINC fields on a salient of Greenbelt protruding into the urban fringe West of Metcalfe Lane. That site, including the two candidate SINC fields has been virtually built out as the Derwenthorpe housing estate, continuing to show that site as green Belt openspace is thoroughly misleading. Given promotion of site ST 7 as a 'Garden village' with the separation distances and buffer zones as part of that promotion a consultation map that misrepresents the situation with regard to such crucial concerns is unacceptable. The CYC have

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BY: _____

on a number of occasions been told about this misleading situation by myself and I find it amazing that this development plan has reached this juncture without this matter being corrected.

2.9. Inclusion of a map showing two candidate SINC fields (despite CYC underplaying the SINC value of the whole CYC owned site at Public Inquiry in 2006) that have already been built on is also misleading in terms of public consultation and public responses as to the likelihood of the other candidate SINC site being used as an access road into ST 7.

The Development Plan.

3.1. As a member of the CYC Local Plan Working Group at the latter end of the last political administration and since 2015 a member of that same group under a new political leadership I can confirm that nothing changed in how strategic decisions are made, the LPWG is merely a council working group that doesn't 'work', it receives the preferred strategy of officers and the political leadership at very infrequent intervals with little opportunity for input and change.

3.2. However, as a member of that LPWG and receiving extra information that is presented I consider the plan as now submitted to be UNSOUND.

3.3. It is not a plan that has been 'positively prepared' it does not meet the need for new housing, other development, infrastructure and business development, it EXCEEDS greatly the natural growth of a city like York, such adherence to Government imposed household projections largely driven by 'International Inward Migration' can not be accommodated in York without compromising the previously accepted special purpose of the Greenbelt around York.

3.4. To 'positively plan' in York, the plan should have included as previously requested by English Heritage (as they were then called) in 2003 an Environment Capacity Study, Sustainability Appraisals drawn up as part of the current development plan process with the ultimate aim of justifying and facilitating development are not a suitable replacement for consideration of the capacity of a historic city like York to continue to absorb development without causing harm.

3.5. In demonstrating how UNSOUND such an approach taken by CYC is I quote from the English Heritage 2006 submission to the joint Derwenthorpe and Germany Beck public inquiry (file reference APP/C2741/V/05/1189897 & YH 5343/310/2, APP/C2741/V/05/1189885 & YH 5343/310/1).

Page 236, para 21.18

"Because the primary purpose of the York Green Belt is to preserve the setting and special character of the City, it is necessary to consider:

What are the elements which contribute to the 'special character' of the historic City, how sensitive are those elements to change, and at what point would they be irreparably harmed by further growth, and

What aspects contribute to the 'setting' of the City, and at what point would these be irreparably harmed by the growth of York?

3.6. Further in paragraph 21.19

"The implication which derives from the primary purpose of the York Green Belt is that, in order to protect the setting and special character of the historic City, eventually there may be a need to limit the further expansion of the City or so accommodate the future needs in a way other than by peripheral expansion. If that were not so, then there would have been no need for an encircling Green Belt around York. In order to ascertain at what point the special

character or the setting of the City might be harmed (and, therefore, where a halt should be put upon the further growth of York) an assessment needs to be undertaken of the capacity of the historic City to accommodate further growth. Such an assessment should not just relate to what parts of York, in visual terms, are important to its setting and character, but should also extend to an evaluation of the effects which future development might have upon the other aspects which contribute to its 'special character'. This is a view that has been put forward on several previous occasions, including by the Urban Panel and by CABI"

3.7. I would argue that the levels of growth in the current plan (levels largely imposed by government) that manifest in large peripheral 'urban extensions' (despite being badged as 'Garden Villages' in some cases, notably ST 7,) will lead to a significant erosion of that 'special character'.

3.8. National Planning Policy Framework Policy relating to Green Belts refers to the accepted five Green Belt purposes of which one is especially relevant;

"To preserve the setting and special character of historic towns"

Previously accepted planning guidance for York such as the Southern Ryedale Local Plan 1995, The North Yorkshire County Structure Plan 1995 and the ill fated York Local Plan Green Belt review that was abandoned in 2000 all accepted and further reiterated the importance of preserving the historic setting of York and prominence of York Minster within that setting.

An especially important point regarding ST 7 which I will cover in due course.

3.9. The question for the examination in public of this latest iteration of a development plan for York is will the long accepted reason for one of the primary purposes of Green Belt around York survive the development pressures being created by imposed population growth in the city rather than natural change?

3.10. Should the wisdom of previous planning inspectors and policy documents be cast aside to facilitate damaging expansion of York into its Green Belt hinterland then at least all will know that the national and international fame of York as a small historic City with a surrounding hinterland of small villages is lost forever.

3.11. I would argue that retention of Green Belt to preserve the setting of York, most certainly in terms of the views accorded of the Minster from the A64 looking Westwards whereby that Green Belt hinterland frames the Minster in the foreground is one of the most iconic long distance views of the Minster, is essential for the Plan to remain consistent with National Policy. As such the proposed location of ST 7 is visibly very quantifiably UNSOUND.

3.12. The levels of development proposed in the Plan, without in most cases anything other than a general overview of access/egress arrangements, can only lead to a worsening of the general traffic situation in York, a strategic issue that could have been addressed through an Environment Capacity Study. I will deal with the traffic implications of proposals that affect the Ward I represent later, but the citywide situation can only be tipped ever closer to gridlock should the development plan proposals be accepted.

3.13. To residents of York much that is said by the Local Authority on managing the demand for roadspace and the implications of future developments has been proven to be wrong as evidenced by the highway network. There has been no indication of a financed plan to dual the A1237 Outer Ring Road (a road perfectly adequate for York when built before development outstripped the ability of the infrastructure to cope) which is little more than a slow moving car park for long periods of the day, despite ongoing intrusions into what remains of the York Green Belt by Park and Ride sites the city centre and residential roads get ever more congested, road maintenance can not keep pace with deterioration and air quality continues to suffer.

3.14. Whilst the previous paragraph is my personal view I am sure statistics back up that view and whilst statistics can be used in such a way by 'experts' to suit the narrative that developers and the Local Authority wish to promote with this plan, traffic problems can not be hidden from sight. With that in mind I wish to refer the inspector to a recent PINs decision;

APP/C2741/W/15/3135274 (appended to this submission), reached by Inspector Barsos relatively recently when he described "Irreconcilable matters arising from the Highways submissions". The fact that the 'real' traffic situation as witnessed by a planning Inspector first hand had little in common with CYC and the developers 'expert' traffic submission was not only cause for concern in relation to that matter but has significant implications for a number of strategic sites in the development plan.

3.15. Failing to address the traffic implications of developments in a credible manner as in para 3.14 in the development plan and tailor the levels of development to the natural change of the city with sustainable evolution of highway capacity renders the Plan UNSOUND.

3.16. Similar infrastructure concerns regarding the implications of the levels of growth in the development plan are evident in the minds of the York Public. York District Hospital has never increased in capacity commensurate with population growth and there are no plans to link Hospital capacity with proposed population growth in the Local Plan. It is not sustainable to place greater burdens on all facets of healthcare provision in York that can only result in existing residents receiving a poorer, less accessible service.

Site Specific comments. ST 4 Land adjacent to Hull Road.

4.1. This site is on a primary route into the City, a site that is important as a 'green' route transitioning between the Green Belt fringe and the start of urban York. The importance of this site given its elevated position became evermore important with the planting of the Jubilee Wood in terms of not only aesthetics but function as an area of public open space with undoubted social and wildlife value.

4.2. The development of of a large part of Kimberlow Hill for housing, only accessed by actually cutting through an area of Woodland planted up as part of the Jubilee Wood will obviously compromise the value of that open space as well as distracting from the spectacular views of York from the vantage points on Kimberlow Hill.

4.3. Development of this site will further erode the 'buffer zone' ethos that was supposed to be an integral part of development to the South of Hull Road when the University Campus was granted approval at Public Inquiry.

4.4. Given that land drainage from Kimberlow Hill flows ultimately into Osbaldwick Beck, a watercourse currently at full capacity concerns remain as to the potential drainage implications from this site.

4.5. The site, in isolation or taken in combination with other ongoing or potential traffic generators in the near vicinity is in an unsustainable location as regards the A1079/Field Lane Highway network, the present situation is unsustainable but when traffic generation from a fully occupied Germany Beck development is considered along with all other potential traffic generators in the Local Plan the allocation of this site in traffic terms becomes UNSOUND.

4.6. The site should be removed from the plan as a housing allocation and the Jubilee wood expanded to cover a larger area, the site could remain as a green approach into the city addressing not only aesthetic and biodiversity concerns but ensuring run off and drainage concerns were dealt with.

ST 7 Land East of Metcalfe Lane, Osbaldwick.

4.7. The location of this site if ever developed on prominent Greenbelt land on the Eastern periphery of the City will when viewed from the A64 completely spoil the setting of the Minster with the rural landscape in the foreground. Previously accepted planning recommendations for this land would have to be totally disregarded to allow this site be included in the development plan, as such the inclusion of the site is UNSOUND. Nothing whatsoever has changed in terms of the views off the A64, the Minster is still in the same place, the fields are still a mixture of arable and grazing land and the ability of viewers to see the Minster remains undiminished.

4.8. The inclusion of this site for development completely goes against previous assurances made by CYC strategic planning officers at Public Inquiry in 2006. When together with the CYC's development partner the Joseph Rowntree Housing Trust in forwarding the case for a 53 acre development West of Metcalfe Lane the case was made that Metcalfe Lane with its long, high hedgerow would be a defensible, enduring Greenbelt boundary.

A boundary that only endured long enough for CYC to gain planning permission on its own land before the Land to the East of Metcalfe Lane found its way into strategic planning documents!

4.9. The provision of a construction traffic haul road to build the Derwenthorpe housing estate approved after the 2006 Public Inquiry across the very land included as ST 7 was resisted by CYC/JRHT because of Green Belt concerns, that no longer, in the eyes of CYC seem to exist.

4.10. Inclusion of the site with the submitted boundaries has been confirmed publically by a representative of one of the proposed developers (TW Fields) to be undeliverable as the 845 dwellings in ST 7 would be financially unviable, therefore inclusion of ST 7 must be seen as UNSOUND in that context.

4.11. Inclusion of the site even with the submitted boundaries would compromise the viability of the surrounding buffer zones (essential to protect Osbaldwick Conservation Area and the Meadlands residents) to be managed effectively as useful Green Belt public open space and leads to concerns that such zones would inevitably be subject to development pressure (being then described as 'urban fringe') in the future that would lead to their loss.

4.12. Inclusion of the site would compromise one of the primary purposes of keeping Green Belt open in York and compromising of the setting and view of the Minster off the A64 would inevitably lead to pressure to complete the urban expansion of York right out to the A64 overwhelming the village of Murton in the process. It is not consistent with NPPF policy to compromise Green Belt, especially around York in such a manner.

4.13. Whilst it is still unclear as to the actual access/egress points of ST 7 it is clear that one of those points will be to the South of the site off Murton Way, it was mentioned in the past that this route would be via Outgang Lane industrial estate but I don't think anyone ever gave that any credence. This route would potentially involve the new house owners accessing their new housing estate by running the gauntlet of the worst managed Gypsy Caravan Site in York. The most likely access/egress point remains straight from Osbaldwick Link Road.

4.14. The use of Osbaldwick Link Road would however not be justified as this would lead to even greater pressure ultimately onto Hull Rd, the traffic implications of which were exposed by an earlier planning Inspectors decision notice as previously referenced. (APP/C2741/W/15/3135274).

The continuation of the Murton Village-Murton Way- Osbaldwick Village-Tang Hall Lane-Milfield Lane surrogate main road is not only unacceptable to existing residents but totally unsustainable in traffic generation/road use terms. Tang Hall Lane which would likely receive traffic flows from two access/egress points, the other being off Bad Bargain Lane was described by the York Council Engineer and Surveyor in

1985 as "At peak times the theoretical capacity of the road is well exceeded" (Tang Hall Lane Accident Study 1985, Page 17, para 3.9 (ii) annexed to this submission). Similarly the same report on page 22 para 4.5 describing the Millfield Lane/Osbaldwick Lane junction states "Vehicular flows at this junction and for that matter along Tang Hall Lane itself are swelled by through traffic proceeding to and from Osbaldwick and ideally measures should be taken to transfer as much traffic as practical to the Primary road network, ie Hull Road".

4.15. Given the currently congested state of Hull Rd and Tang Hall Lane where would the traffic go? Without a direct link onto the A64 for this site the traffic generation from this site and the cumulative effect with other sites such as ST 4 and ST 15 feeding onto Hull Rd will only worsen an already bad situation.

4.16. If access/egress was dealt with by a direct access onto the A64 it would further compromise the setting of the City at one of its most critical points. There is no effective transport solution to this site taking into account current highway constraints linked with Green Belt constraints. Inclusion of ST 7 is UNSOUND on transport considerations.

4.17. The potential for an access/egress point to ST 7 off Osbaldwick Link Road/Murton Way is further constrained by the fact that it would destroy a field identified by CYC as a candidate SINC site, a field also identified and accepted as a sensible suggestion as functional floodplain to relieve some of the downstream pressure on the 'critical watercourse' of Osbaldwick Beck. Given that the only other fields identified in the CYC Bio diversity Action Plan of some years ago in Osbaldwick have already disappeared under development it can hardly be thought acceptable to lose the last and only one in the area.

4.18. The under construction Derwenthorpe housing estate in Osbaldwick provides a good demonstration of all the public transport/cycling/walking aspirations that accompanied that application and similarly now accompany ST 7. People need, because of how society is set up to use vehicles, be it for work, shopping or leisure and the proposed site of ST 7 on the periphery of York will lead to a huge influx of extra vehicles as can be witnessed by those parked up on Derwenthorpe.

4.19. Having seen a site developed for housing (Derwenthorpe) that with its undoubted social and ecological value would have been in its entirety designated a SINC (as were two of the fields after construction started) or a Local Nature Reserve I will be intrigued as to how the "number of ecological constraints" identified within the ST 7 boundaries are addressed.

4.20. Similarly the site shares the Local characteristic of poorly drained clay land and with Osbaldwick Beck unable to accept any increase in discharge I look forward to seeing drainage proposals coming forward, however any access off Osbaldwick Link Road/ Murton Way can not be undertaken without cutting through a field of exceptionally poor drainage that has been identified as a useful functional floodplain for Osbaldwick Beck.

4.21. Given the constraints apparent with ST 7 it seems more than a little perplexing that the site has made it this far for consideration in the development plan process until it is recognised that the former Chief Officer of CYC in charge of planning matters, Mr Woolley, who was heavily involved in the York Local Plan for many years and in charge of officers at the Derwenthorpe Public Inquiry (when statements were made that Metcalfe Lane was an enduring, defensible Green Belt boundary) is, following retirement from the Local Authority now pursuing as a director of TW Fields development company ST 7 for inclusion in the development plan. Local residents already refer to this site by its nickname of 'Woolleyville'. I do hope independent examination leads to questions being asked more robustly of the suitability of this site than have seemingly been asked by development officers to date.

4.21. This site ST7, should be removed from the development plan and the land determined to be left permanently open Green Belt given the contribution it makes to the character and setting of historic York when viewed from the A64.

ST 15 Land West of Elvington Lane.

4.22. This proposal ought to be referred to as a new town or new settlement and not by the term 'Garden Village', the sheer size of the proposal precludes the use of the term Village.

4.23. The scale of this proposal offers the chance to create a meaningful new stand alone community with all usual accepted facilities on site, whilst this should minimise traffic generation as far as possible the cumulative impact has to be carefully managed with the other proposals in the Plan should they reach fruition. Should all other proposals be accepted in the development plan I fail to understand how the A64, especially the Grimston Roundabout will be able to cope as well as the A1079 Hull Rd. With similar traffic concerns expressed over SS 21.

ST 27 University of York Expansion.

4.24. Given the hugely detrimental impact of University expansion in recent years on the surrounding residential areas of Badger Hill, Hull Road and increasingly Osbaldwick will regard to the loss of family housing to the student let HMO market, I do not believe policy SS22 iv. is prescriptive enough. The increase in student numbers must be accommodated on site and in full to avoid disrupting the local housing market any further.

4.25. As with similar concerns over other sites in the area the cumulative traffic impact of developments near the A64 Grimston Roundabout and the A 1079 must be addressed properly and as seems likely given the current traffic situation in this area some proposals will have to be foregone.

Comments on Policies.

5.1 Policy H7

The University of York, York St. John University and Arkham Bryan College should, to avoid further unbalancing the housing market in the areas of York in close proximity to their campuses, be required to accommodate ALL increased numbers of students ON campus.

5.2 Policy H7 is worded too loosely and as such is UNSOUND, to approve a development plan policy so lacking in clear direction as this will only lead to the continuing displacement of huge numbers of students into the HMO market with all the attendant problems for community cohesion and the operation of the housing market.

5.3 Similarly the continuing spread of purpose built off campus student accommodation blocks must be discouraged to redress the balance in providing residential units for York residents, in particular single peoples accommodation.

5.4 Policy H8

The progression of Policy H8 through the Local Plan process with the acceptability thresholds first introduced in 2012 with an Article 4 Direction (covered in a SPD) that have been the subject of much controversy, both with the far too high percentages set and the inability of CYC to accurately maintain a 'database' to enable Planning applications for C3 to C4 conversions means this policy has to be considered UNSOUND.

5.5 Continuing with 20% neighbourhood and 10% streetlevel acceptability thresholds is not in the interests of council taxpaying residents, the local housing market or wider community cohesion.

5.6 I have long argued that the percentages should be reduced as far as possible and in the light of the huge number of off campus student accommodation blocks would have thought that CYC would have wanted to support the residential housing market, alas to no avail

5.7 Setting a Policy to 'control' the spread of student HMOs in 2012 as CYC did after pressure from residents in areas blighted by high concentrations of student housing has had the entirely predictable effect of spreading this blight further afield, specifically Osbaldwick. Residents in Osbaldwick look to these acceptability thresholds being reduced to levels that will not impact on community cohesion and standards and not continue to lead to the loss of residential family homes to the student let market

5.8 The Neighbourhood threshold should be reduced to no more than 10% with the attendant street level percentage reduced to no more than 5% of properties within 100 yards of street length from a HMO application.

5.9 It is not justified to continue to identify Green Belt land for housing in the Osbaldwick area to address housing need whilst continuing to allow the steady loss of upto 20% of family homes in the rest of the area which once converted to use class C4 very rarely return to the ordinary residential market.

6.1 Policy G17

It was recently suggested to CYC by Osbaldwick Parish Council, St Thomas Church and a willing landowner that a Green Burial Area is set aside for Osbaldwick (and Murton residents) within the Local Plan. (see attached proposal).

6.2 Approving the proposal map for ST7 without addressing this identified need would render the Plan UNSOUND.

7.1 Policy D 1 Placemaking.

Paragraph 8.8 makes reference to the CYC Streetscape Strategy and Guidance (approved 2014) and for development proposals to support the principles set out in the guidance.

7.2 This guidance document is worthy of praise both in terms of its format and intent and deserves stronger supportive wording within the Local Plan to ensure that all concerned with development proposals that may impact on either old historic Streetscape or are involved in creating new Streetscape follow the guidance principles.

7.3 Unfortunately many aspects of the guidance are routinely ignored by CYC and I fail to understand how the Local Authority could reasonably expect private developers to adhere to the guidance and incur significant extra cost when the Local Authority is not willing to incur similar costs to work to higher standards.

7.4 Without appropriate wording to support the aims of this guidance document the guide will simply be conveniently overlooked by all involved, as such inclusion of the guide must be considered UNSOUND.

7.5 I would suggest that the City of York Streetscape Strategy and Guidance is included in the Local Plan appropriately highlighted as 'The document that guides the City of York Council along with utility companies, developers, Parish Councils and other interested parties as to the preferred methods of construction and maintenance of all aspects of the public realm in the City of York Council area. As such the guide is intended to be followed closely and incorporated into any developments requiring new infrastructure or affecting existing infrastructure. The guide is intended to maintain standards across all areas of public realm in York and any deviation from the guide will be subject to rigorous justification and only permitted in exceptional circumstances'



Report to the Secretary of State for Communities and Local Government

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by **D R Cullingford BA MIPMI MRTPI**
an Inspector appointed by the Secretary of State for Communities and
Local Government

date: 2 March 2007

CITY OF YORK COUNCIL

Applications

by

PERSIMMON HOMES (YORKSHIRE) LIMITED &

HOGG BUILDERS (YORK) LIMITED

&

THE JOSEPH ROWNTREE HOUSING TRUST

Inquiry held from 13 June to 24 July 2006

Formal site visits undertaken on 23 & 28 July 2006 with additional visits on 30 & 31 August and 19-21 September 2006

Land at Germany Beck, east of Fordlands Road, Fulford, York, &
Land west of Metcalfe Lane, Osbaldwick, York

File References: APP/C2741/Y/05/1189897 & YH 5343/310/2
APP/C2741/Y/05/1189886 & YH 5343/310/1

English Heritage

21.16 No objection is raised in principle to the detailed proposals put forward¹. But it is considered undesirable for the expansion of York to proceed on a piecemeal basis rather than in the context of a properly prepared policy framework. The long-held view is that an assessment should be undertaken to determine the 'environmental capacity' of the City to accommodate growth while ensuring that proposals do not harm the historic character of York in the long term².

21.17 York is one of a handful of settlements in England which has a Green Belt whose primary purpose is to preserve the setting and special character of a historic town. Of those settlements, however, York is unique insofar as it is the only one where precise Green Belt boundaries have yet to be formally defined. In view of the status of the York Green Belt, English Heritage is concerned about the principal of large-scale development around the periphery of the historic City being granted outside the Development Plan process because that might prejudice the definition of the inner Green Belt boundaries that ought to occur in the context of the emerging Local Development Framework. Given the primary purpose of the Green Belt, that could harm the special character and setting of the historic City. In addition, the applications are being considered without any strategic assessment of what the capacity of the historic City, as a whole, might be to accommodate further growth. An Environmental Capacity Study is required to assess the 'fixed' capability of the City to absorb future development.

21.18 Because the primary purpose of the York Green Belt is to preserve the setting and special character of the City, it is necessary to consider:

- What are the elements which contribute to the 'special character' of the historic City, how sensitive are those elements to change, and at what point would they be irreparably harmed by further growth, and
- What aspects contribute to the 'setting' of the City, and at what point would these be irreparably harmed by the growth of York?

21.19 The implication which derives from the primary purpose of the York Green Belt is that, in order to protect the setting and special character of the historic City, eventually there may be a need to limit the further expansion of the City or to accommodate the future needs in a way other than by peripheral expansion. If that were not so, then there would have been no need for an encircling Green Belt around York. In order to ascertain at what point the special character or the setting of the City might be harmed (and, therefore, where a halt should be put upon the further growth of York) an assessment needs to be undertaken of the capacity of the historic city to accommodate further growth. Such an assessment should not just relate to what parts of York, in visual terms, are important to its setting and character, but should also extend to an evaluation of the effects which future development might have upon the other aspects which contribute to its 'special character'. This is a view that has been put forward on several previous occasions, including by the Urban Panel and by CABE³

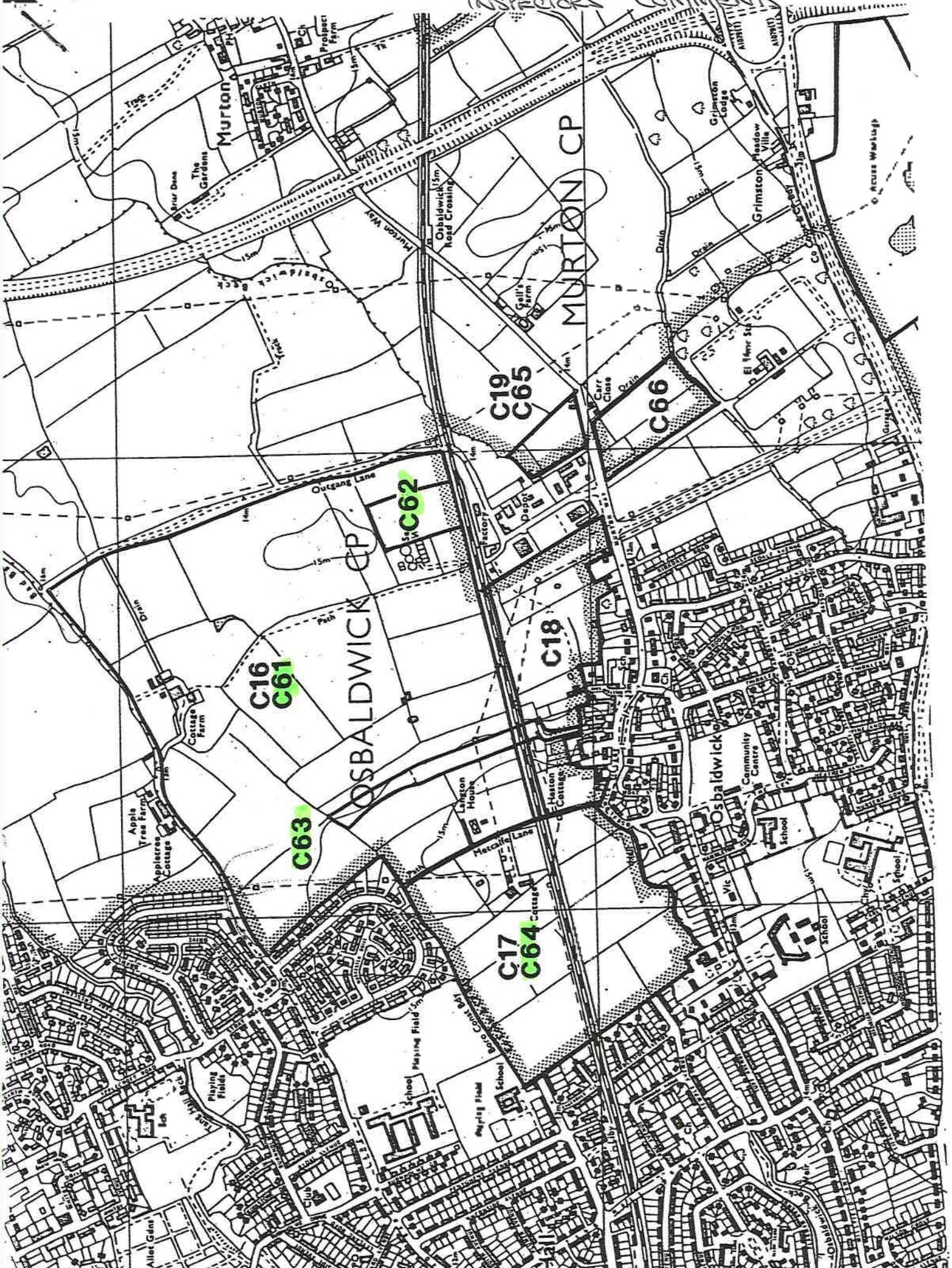
21.20 Without such an assessment, it is not possible to ascertain whether the development strategy envisaged for the City is compatible with the primary purpose of the Green Belt or whether the Green belt boundaries eventually identified through the LDF would be likely to have the degree of permanence envisaged in national policy guidance. Granting permission for the application sites would prejudice the definition of the inner Green Belt boundaries and so harm the special character and setting of the historic City.

¹ Document 10, letter 52, May 2006

² Document 18

³ Document 18

INSPECTORS COMMENTS



C61 EAST OF OSBALDWICK

Case for the Objectors

G0701 Waites & Moorey

G61.1 The boundary of the Green Belt in the Osbaldwick area has been drawn too tightly and makes no provision for unforeseen demand for development. The Council have relied too heavily on sites at Earswick and New Earswick to meet housing demand, although those sites themselves perform Green Belt functions. By contrast the objection site is in an area of featureless countryside which adjoins a rather nondescript residential area. Its exclusion from the Green Belt would enable development which would remedy these defects by providing neighbourhood facilities and housing in a landscaped setting. Such a buffer would provide a softer edge to the built-up area, particularly in views from the Ring Road. The site was previously identified as white land in the 1987 Draft Southern Ryedale Local Plan.

Reply by the Council

G61.2 The main objective of the Green Belt is to safeguard the special character of the historic city. In order to maintain York's unique character it is necessary to check the further sprawl of its built-up area and safeguard the surrounding countryside against further encroachment. The objection site lies within an area of pleasant open countryside between the built-up area and the Ring Road. This countryside is highly visible from the Ring Road and the network of fields and hedgerows it contains is an important part of the setting of the city. The development of the objection site would be an intrusion into this setting and an encroachment into the countryside contrary to Green Belt objectives. These problems cannot be overcome by landscaping any development which took place on the site.

G61.3 The Greater York Study established a strategy, agreed by all the Greater York Authorities, that there would be only limited development on the edge of the built-up area in locations which do not conflict with Green Belt objectives. That strategy has been carried forward into the Local Plan and Alteration No 3 to the Structure Plan. Considerable weight should therefore be attached to it. The circumstances relating to the sites at Earswick and New Earswick are more appropriately considered in relation to those individual sites. The area of this site has been designated as Green Belt in all published planning proposals for the area other than the 1987 Draft Southern Ryedale Local Plan which was never formally adopted and was withdrawn. No great weight can be attached to its contents.

Case for the Supporters

G0711 P Jarvis

G0746A L C Butler

G61.4 Development should not take place in this area, as it would spoil the environment and cause traffic dangers.

Inspector's Conclusions

G61.5 The objection site lies within a broad swathe of open countryside on the eastern side of the city lying between the built-up area and the Ring Road. This countryside is characterised by fields and hedgerows and forms a pleasant and important landscape setting for the historic city. This

countryside setting is particularly evident in views from the Ring Road. The objection site occupies a substantial part of this swathe of open countryside and its development would be a serious encroachment into the countryside which would adversely affect the the setting of the city. Encroachment into the countryside in this area would undermine the objectives of Green Belt policy and could not be overcome by landscaping any development on the site.

C61.6 The sites at Earswick and New Earswick are dealt with elsewhere in this report. I attach little weight to the proposals of the 1987 Draft Southern Ryedale Local Plan which was not adopted and which has been superceded by the current Deposit Southern Ryedale Local Plan. I am not convinced that there is any overriding need to exclude the site from the Green Belt to meet the housing needs of the area or to provide neighbourhood facilities, but even if such a needs exist I do not consider that this would be an appropriate site for development for the reasons I have set out.

Recommendation

C61.7 I recommend that no change be made to the Local Plan.

MAP 13

C62 NORTH OF MURTON WAY INDUSTRIAL ESTATE: OSBALDWICK

Case for the Objectors

C1622 W F Neek

C62.1 The objection site is bounded by industrial land, a sewage works, a gypsy site and agricultural land. Vandalism and trespass have blighted its use for agricultural purposes. Recourse to law has failed to improve the situation. The District Council have stated that a significant interest is being shown in industrial land around Osbaldwick, so that the use of the site for industry would meet an expressed need and provide a use which is unlikely to be adversely affected by its proximity to the gypsy site.

Reply by the Council

C62.2 The objection site lies within a belt of open countryside between the Ring Road and the built-up area of the city. This open countryside is an important part of the setting of York and contributes to the special character of the historic city. Notwithstanding the proximity of the sewage works and the gypsy site to the objection site it is essentially part of the open countryside lying to the north of the former railway. If the site were to be excluded from the Green Belt it would be likely to be developed. Such development would be an encroachment into the countryside which would adversely affect the setting of York contrary to Green Belt objectives.

C62.3 The Greater York Study established a strategy for York which involves only limited development on the edge of the built-up area in locations which do not conflict with Green Belt objectives. Sewage works and gypsy sites may be considered to be appropriate development in the Green Belt, in the first case for operational reasons and in the second to prevent unauthorised camping in less suitable locations. These uses do not provide a justification for industrial development. Land for industry has been allocated in the Southern Ryedale area to meet the foreseeable needs of the area.

Inspector's Conclusions

C62.4 The objection site is located within a broad swathe of open countryside which lies between the Ring Road and the built-up area of the city. This countryside, although variable in its landscape quality, is nevertheless an important part of the setting of the city. I appreciate that in the immediate vicinity of the site development has occurred which, although it may be appropriate development in the Green Belt, nevertheless detracts from the appearance of the landscape. However in distant views it is the open countryside character of the area which predominates. It is this open character which it is important to preserve if the setting of the historic city is to be protected. Any development on the objection site would inevitably erode this open character and would therefore be unacceptable.

C62.5 I can well understand the difficulties which have arisen in relation to farming on this site. However I do not consider that they are sufficient to overcome the objections to excluding the site from the Green Belt. I have set out earlier my views on the allocation of industrial land in the Greater York Area. Even if it is found that there is insufficient flexibility in the industrial land allocations I do not consider that this site is suitable for development for the reasons I have set out above.

Recommendation

C62.6 I recommend that no change be made to the Local Plan.

Case for the objector

C1498 M Bradwell

C63.1 The objection site is poor quality agricultural land which is subject to vandalism. The land does not appear to be significant in any way to the Green Belt and was previously identified as "white land". It should remain as "white land".

Reply by the Council

C63.2 The main objective of the Green Belt is to safeguard the special character of the historic city of York. This special character relates not simply to the historic core of York but also to its setting in the surrounding countryside. The open farmland between the Ring Road and the built-up area of the city is a particularly important part of its setting and should be protected from development. The site lies within this area of farmland. If the site were to be excluded from the Green Belt it is possible that it would be developed. Such development would be an encroachment into the countryside which would markedly erode the setting of York. The shape and location of the site some distance from the urban area is such that it could not be sensibly developed in isolation. Its exclusion from the Green Belt would only make sense if land between it and the built-up area were also excluded. This would exacerbate the problems already referred to. The site has been in the sketch Green Belt for a number of years with the sole exception of the 1987 Draft Southern Ryedale Local Plan. That plan was never formally adopted and little weight can be attached to it. Whilst appreciating the difficulties of farming land near the edge of the urban area this is not a valid reason for removing the site from the Green Belt.

Inspector's Conclusions

C63.3 The objection site is set within a broad swathe of countryside between the Ring Road and the built-up area of the city. This countryside is an essential part of the setting of the city and makes a significant contribution to its character, particularly in views from the Ring Road. The site, because it is detached from the urban area, could not be reasonably designated as white land in isolation. Its designation would imply that all the land between the site's outer boundary and the built-up area should be excluded from the Green Belt. The development of such land would be an encroachment into the countryside and would cause unacceptable harm to the setting of York. Whilst I appreciate that there may be some difficulties in farming the land, that factor is not sufficient to overcome the objections to excluding the site from the Green Belt.

Recommendation

C63.4 I recommend that no change be made to the Local Plan

C64 WEST OF METCALFE LANE: OSBALDWICK

Case for the Objectors

C0839C & C5249A York City Council
C0925A & C5028 Hambleton District Council

C64.1 The objection site should be excluded from the Green Belt and the inner boundary of the Green Belt drawn to follow Metcalfe Lane which would provide a recognisable and enduring boundary. The site does not contribute to the historic form or character of York and is not part of an important green wedge. Any development on the site would be well contained by adjacent development and would therefore not result in urban sprawl or serious encroachment into the countryside. Proposed Change No 3 is supported.

Reply by the Council

C64.2 It is now considered that the site should be excluded from the Green Belt (Proposed Change No 3). This would not endanger the special character of the historic city as the site does not form part of any of the green wedges that make an important contribution to that character. It has development on three sides, so that development of the site would not lead to encroachment into the countryside or urban sprawl. Neither would development lead to the coalescence of settlements because the developed areas adjacent to the site are part of the same built-up area of the city. The proposed boundary of the Green Belt would follow Metcalfe Lane which is a readily recognisable feature and one which would be enduring.

C64.3 There is no public access to the site and its designation as Green Belt would be unlikely to result in it becoming public open space. Provision of land for public recreation would be more likely to occur as part of a comprehensive scheme for the development of the site. The Greater York Study has identified the land as contributing to the long term development requirements of York.

Case for the Supporters

| | | |
|--|--|-------------------|
| G0280 Mrs D W Smith | G0281 A Smith | G0282 Mrs V Smith |
| G0283 Mrs M Smith | G0284 G F Grimmond | G0285 Mrs J Rose |
| G0976Q Persimmon Homes (Yorkshire) Ltd | | G1431A R Benton |
| G1505 & G5146 C Scamp | G1509 & G5036 R A M Griffin | |
| G1541 J E Bennet | G1596C & G5135 Osbaldwick Parish Council | |
| G1759 & G5068 W Norman | G2063D R Johnson | G5129D G Whipp |
| G5130A Hogg Contracts Ltd | G5140 J P Morley | |
| G5177B Persimmon Homes Ltd | | |

C64.4 The site is part of an area of open land extending into the urban area from the countryside. It forms an important green wedge with both existing and potential recreational and amenity value. The amenity and recreational value of the site is underlined by the fact that it has a recently constructed cycleway running through its length. The inclusion of the site in the Green Belt would prevent the coalescence of the settlements of Osbaldwick and Burnholme. To exclude the site from the Green Belt would be contrary to national Green Belt policy and Policy E8a of the Structure Plan.

C64.5 The site is an ideal area for use for public recreation, which would help to make up an existing shortage of public open space in the area. If the site were to be excluded from the Green Belt then the opportunity for use as

public open space would be lost. Whilst York City Council as owners of the land appear willing to allocate some of the land for public open space in a development brief for the area, the amount allocated for this purpose would be insufficient to meet the real needs of the area.

Inspector's Conclusions

C64.6 The objection site extends only a comparatively short distance into the urban area and its character is that of an indentation in the urban boundary rather than a green wedge penetrating the urban area from the countryside. There are no important views across the site and it is adjacent to normal suburban development. Because of these factors it makes no contribution to the special character of the historic city. The site does not separate two settlements but is simply an area of open land within the same built-up area and possibly the same parish. Its development could not be said to lead to the coalescence of settlements or to urban sprawl.

C64.7 There is no public access to the main parts of the site and there is no evidence to suggest that public access or the provision of public open space would result from its inclusion in the Green Belt. On the other hand there is strong evidence arising from the plan prepared by York City Council and submitted to the inquiry by Ryedale District Council that some provision of public open space would be likely to result from a development scheme for the site. Although the latter is now mainly undeveloped, it is not land which it is necessary to keep permanently open.

Recommendation

C64.8 I recommend that the site be excluded from the Green Belt as set out in Proposed Change No 3.

Case for the Objector

G2031 Colas Roads Ltd

C65.1 PPC2 makes it clear that the essential characteristic of Green Belts is their permanence and that they should not include land which it is unnecessary to keep permanently open. There is insufficient employment land available in the Greater York area to meet the needs of the area, so that there will be pressure to develop this site which is adjacent to an existing industrial site. Policy 16 of the Structure Plan supports the development of sites adjoining existing industrial areas within or in close proximity to a built-up area. This is such a site. The 1981 draft Southern Ryedale District Plan excluded the site from the Green Belt in recognition of its long term development potential. Although that plan was not formally adopted it formed the basis of policy for many years and this policy was carried through into the Draft Green Belt Local Plan. The County Council confirmed in May 1991 that the site was excluded from the Green Belt and that the text of the Draft Plan was in error. The Council had the opportunity at that stage to make it clear that they intended the site to be included in the Green Belt but they failed to do so. There was therefore a long standing official view that the site should not form part of the Green Belt. The site forms a natural extension to the existing industrial area.

C65.2 The exclusion of the site from the Green Belt would not prejudice Green Belt objectives. The eastern boundary of the site is defined by a hedge and ditch and follows the parish boundary. It would therefore form an appropriate Green Belt boundary and one which would be sustainable in the longer term. The site is adjacent to a developed industrial estate and would be a logical "rounding off" of that estate. It is seen against the background of industrial buildings, a large agricultural building has recently been erected immediately to the east of the site, and part of the site itself has been subject to tipping. Development of the site would be seen in the context of an area which is already developed.

Reply by the Council

C65.3 The site is readily seen from a section of the Ring Road which is carried on an embankment. The site forms part of the open countryside between the urban area of York and the Ring Road. This area of countryside defines the boundary of the urban area and prevents the coalescence of Osbalwick and Hurton which lies immediately to the east of the Ring Road. The gap between these two areas is narrow and needs to be preserved if the character of York is to be protected.

C65.4 The Green Belt boundary follows Osbalwick Beck which is a strong natural feature defining the outer boundary of the existing industrial area, unlike the boundary proposed by the objectors which comprises a weak hedge line.

C65.5 Sufficient employment land is available in the Greater York Area to meet the needs of the area to 2006 and beyond. Structure Plan Policy 16 has to be balanced against policies for the Green Belt. The site is not an appropriate site for industrial/business development.

Case for the Supporters

G1431C R Benton

G1596A Osbaldwick Parish Council

C65.6 The creeping industrialisation of the area would harm the Green Belt, to which Osbaldwick Beck forms a defensible boundary.

Inspector's Conclusions

C65.6 There is no doubt that Osbaldwick Beck is a strong feature which defines the eastern boundary of the existing industrial estate. My impression is that this feature has formed a natural barrier to the development of the estate in an easterly direction. There is a distinct visual break between the estate and the land to the east, including this site, the latter being part of the general surrounding open countryside. I note that part of the site has been subject to tipping but this makes no significant difference to its overall appearance. In this area the gap between the urban edge of York and the Ring Road is quite narrow but still sufficiently wide to form an important open area. The agricultural building to the east of the site is the type of building which now typically can be part of any rural scene. Any development of the site would be seen as an encroachment into the countryside. Murton village and its industrial area lie immediately to the east of the Ring Road. I think it important to the character of York that there should be a clear distinction between the city and Murton. If this site were to be developed this distinction would be markedly eroded.

C65.7 Although, having regard to the advice in PPG2, it would be desirable to have greater flexibility in the employment land allocations in the long term. In this case, however, the harm which would be caused to Green Belt objectives by excluding this site from the Green Belt would outweigh any advantage which might result from the development of employment uses on the site. I regard this as being land which needs to be kept open for the effective operation of the Green Belt.

Recommendation

C65.8 I recommend that no change be made to the Local Plan.

Case for the Objectors

G1621 S Jackson

C66.1 The objection site is suitable for industrial development in that it adjoins land allocated for employment use in the Southern Ryedale Local Plan. There is existing industrial development to the north and an electricity sub-station to the south. The Green Belt boundary in this locality generally follows Osbaldwick Beck but for some reason departs from this boundary in relation to the objection site. Industrial land is required in the whole Greater York Area and the District Council have stated that there is significant interest being shown in industrial land in the Osbaldwick area.

Reply by the Council

C66.2 The band of open countryside between the edge of the built-up area and the Ring Road is an important and visually prominent part of the setting of the historic city. The objection site is part of this band of countryside and its development would be an encroachment into the countryside which would adversely affect the setting of York. This band of countryside also separates Osbaldwick from Murton village and Murton Industrial Estate to the east of the Ring Road. The gap between these two areas is comparatively narrow and development of the site would lessen the gap and weaken the distinction between the main urban area and Murton.

C66.3 The long term development requirements of Greater York can be met elsewhere. Whilst the Green Belt boundary proposed by the objector might be capable of being acceptable, that shown in the Deposit Plan would be stronger.

Inspector's Conclusions

C66.4 I regard the swathe of open countryside between the eastern built-up edge of York and the Ring Road as being particularly important to the setting of the city. It is particularly vulnerable where the edge of the built-up area is close to the Ring Road and to the built development at Murton. The objection site lies within this area. Although there is development to the north and south of the site, the site itself is and appears to be part of the open countryside. Development of the site would be an encroachment into the countryside and would adversely affect the setting of the historic city. It would also lead to a lessening of the gap between the outer edge of the city and development at Murton. This would blur the distinction between York and its outlying settlements to the detriment of the character of the city. I consider that this is land which it is necessary to keep permanently open to fulfill the objectives of the Green Belt.

C66.5 I accept that Osbaldwick Beck would be capable of forming a recognisable and enduring boundary but that would not be sufficient reason to exclude the site from the Green Belt as this applies also to the Deposit Plan boundary. I have commented earlier in my report on the provision of employment land. Even if it were found that the employment land allocations are not sufficiently flexible I do not consider that the objection site should be excluded from the Green Belt for the reasons I have set out above.

Recommendation

C66.6 I recommend that no change be made to the Local Plan.

PARA A 7.25
A 7.30
A 7.33
A 7.38

YORK GREEN BELT LOCAL PLAN

REPORT ON OBJECTIONS TO THE PLAN

Now Structure Plan
has gone - no need
for the GB to be
an "encircling"
belt.

JANUARY 1994

- A7 **PREMATURITY OF THE PLAN**
- A8 **PERMANENCY OF BOUNDARIES**
- A9 **INNER BOUNDARIES**
- A10 **INSET BOUNDARIES**
- A11 **INNER BOUNDARY (STRATEGIC RESERVE)**

Case for the Objectors

G0122A, B & C The House-Builders Federation
 G0737A, D & E Shepherd Homes Ltd G0916B,C & D G W Procter
 G0966B Nun Appleton Estate
 G0976A, B, D, & P Persimmon Homes (Yorkshire) Ltd
 G0996B,C & D The Escrick Estate G1021C, D & E T H Hobson Ltd
 G1593A & B Hogg Contracts Ltd G1655B, C & D W T Wood
 G1852A, B & C Mrs J Hubbard

A7.1 PPG2 stresses that an essential characteristic of Green Belts is their permanence and that their protection must be maintained for as far as can be seen ahead. It also notes that in the preparation of new local plans any proposals affecting Green Belts should be related to a timescale which is longer than that normally adopted for other aspects of the plan. If public confidence in the purpose of a Green Belt is to be maintained boundaries should be set which would have a life of not less than 20 to 25 years. This is especially the case in York, where the main object of the Green Belt is the preservation of the special character of the historic city, an intention unlikely to change even in the very long term.

A7.2 The inner boundary of the Green Belt is drawn so tightly that the total housing requirements of the Greater York area could not be met within that area. Consequences of this would include increased commuting and "town cramming". This would be contrary to the aims of government policy and would have adverse effects on the character of the historic city. In addition the tightness of the Green Belt boundaries around the city and the inset settlements would result in overwhelming pressure for an early review of these boundaries which would conflict with national policy. Chester is an example of the problems that can arise from having too tight a Green Belt.

A7.3 Although the historic core of the city and the 'green wedges' which form part of the city's character should be protected, there has been no landscape appraisal nor any other indication of the rationale adopted by the County Council in their delineation of the Green Belt boundary, nor is there any detailed indication of which Green Belt functions would be served by different parts of the Green Belt. It is arguable that many of the supposed special characteristics of York, such as the green wedges and the relationship with the surrounding countryside, also apply to many other towns, not otherwise regarded as having a character of great importance.

A7.4 Some of the land included in the Green Belt is not essential to its functions as such, including its principal objective of safeguarding the special character of the historic city. This is contrary to the advice in PPG2 which makes it clear that Green Belts should not include land which it is unnecessary to keep permanently open. There is no proper justification for a view which amounts to saying that 'York is full', and it is apparent that not all of the urban edge is perfectly located in relation to the character of the City. Peripheral development could improve the appearance of parts of the urban edge by softening some of the more harsh boundaries. One possible approach would be to identify separately the minimum extent of the Green Belt and those other areas which, whilst they might fulfill some Green Belt

functions, might nonetheless not be included if it were considered that there was a need for a greater provision of land within the Green Belt for potential future development.

A7.5 The County Council have not used the most up to date information available to estimate the total number of dwellings required in the Greater York Area in the period 1991 to 2006. They have used 1985 figures rather than those of 1989 intended to supercede them. As a consequence of this and other misleading assumptions the number of dwellings required up to 2006 has been seriously under-estimated. It is possible that as many as 3500 more dwellings would be required than the County Council anticipate. In addition their figures make inadequate allowance for current housing shortages in York City and for the need for affordable housing.

A7.6 Although it is accepted that there is increasing uncertainty as projections are made further ahead, no proper provision has been made for the housing or employment requirements of the area beyond the year 2006. It should be possible to make reasonably considered projections up to 2016, although the greatest uncertainty will concern the extent of in-migration. The distribution and quality of potential employment sites and their suitability for that purpose must be considered as well as their quantity. It is likely that additional provision will be needed. If the Green Belt inner boundary were less tight it would thereby be longer lasting.

A7.7 The current strategic framework for housing development is contained in the approved Alteration No 1 to the County Structure Plan, but the timescale of that plan extends only to 1996 and there is no approved strategic policy for housing development after that date. The Greater York Study is a non-statutory document. Its preparation but not its content was approved by the Secretary of State. Little weight should be attached to its conclusions. Structure Plan Alteration No 3 has yet to undergo Examination in Public and there can be no certainty that its policies will remain unchanged. This is particularly so in relation to policies deriving from the population projections. The housing content of Alteration No 3 cannot form a reliable basis for consideration of the Green Belt Local Plan, which must be regarded as being premature.

A7.8 Policy H2 of Alteration No 3 provides for a new settlement of between 800 and 1000 dwellings located beyond the outer boundary of the Green Belt. In principle this proposal is attractive in varying degrees to most of the objectors. Others, including the Nun Appleton Estate, consider that such a proposal would be unnecessary if a sufficient reserve of "white land" were to be identified.

A7.9 There are also varying views about whether the idea of a new settlement, if approved, could be actually achieved. Some consider that if and when specific locations are examined there would be considerable problems in bringing the concept to realisation. This has happened elsewhere in the country. If a new settlement did not materialise then there would be a serious shortfall of development land in the Greater York Area.

A7.10 If a new settlement were to be developed it would have to be of a larger size than is currently proposed if it were to be a self-contained and balanced community. A size of at least 2500 dwellings might be needed to do this. The uncertainty surrounding this settlement demands that the Green Belt boundary be drawn in a way which recognises this uncertainty and allows alternative strategies to be pursued without prejudice to the Green Belt or to the character or amenities of existing settlements.

A7.11 Circular 14/84 notes that where detailed Green Belt boundaries have not been established, careful consideration should be given to whether land close to urban areas would be better reserved for future development in order to ease pressure on other land that should have the long term protection of the Green Belt. This implies that a balanced view has to be taken in which long term development needs and the permanence of the Green Belt are considered together. This has not been done here. Land which does not perform a Green Belt function and which is not required for development in the foreseeable future should remain as 'white land'. Such land can be adequately protected from early development by development control procedures but could be made available for future development needs as and when this proves necessary. This would ensure that the Green Belt boundary would have a more certain future by reducing the pressure for its premature release and preventing the fossilisation of the city.

A7.12 Some objectors take the view that in addition, consideration should be given to having a specific strategic reserve of land to meet unforeseen needs. This land could be protected by designation as an Area of Special Restraint, as was done in the Cambridgeshire Structure Plan.

G0220A & B East Yorkshire Borough Council
G1896 Humberside County Council

A7.13 The boundaries of the Green Belt must endure in the long term and must therefore be related to a clear strategy which will cater for long term development requirements. The strategy of the Greater York Study depends upon the provision of a new settlement, but no site has yet been chosen. The Study indicates that it might lie beyond the County boundary in Humberside, which would be strongly resisted. The Deposit version of the proposed Alteration No 3 to the Structure Plan indicates however that the new settlement would be in North Yorkshire, and if adopted in that form there would be no objection to the present Local Plan.

G0839A & B York City Council

A7.14 Although the City Council took part in the Greater York Study they do not accept that York has reached its limit of safe growth. Not all of the undeveloped land around York plays an essential part in preserving its character; much of it is merely mundane. There is not necessarily an objection to a tight inner boundary, however, provided that enough land is left within it to meet future development needs, including affordable housing. Insofar as there is uncertainty over those development needs, it would be preferable to err on the side of excluding too much land from the Green Belt. !!

A7.15 There are likely to be considerable difficulties in finding a satisfactory agreed site for a new settlement, and in any event changing national policy in relation to travel and energy policies may make such a strategy less acceptable.

Reply by the Council

A7.16 It is not possible to devise a precise timescale for the duration of Green Belt boundaries, although they are intended to be permanent for as far ahead as can be seen. PPG2 suggests that they should last for at least 15 years. All land included within the Green Belt should perform a Green Belt function so that the boundary should remain intact until there is a change of circumstances, such as new Government advice, or some overriding need to look again at the objective of preserving the special historic character of York. The general extent of the Green Belt can therefore be expected to last for a very long period.

A7.17 Current strategic policy is one of restraint and this must be recognised in land allocations. The essential point is that the Green Belt boundary has been drawn to meet the primary objective of safeguarding the special character of the historic city. This character derives not only on the historic core of the city but also from its setting in the surrounding countryside. In particular the 'green wedges' and the open countryside linking those wedges are of considerable importance as is the relationship between the city and the surrounding free standing villages. Like Chester, York has reached its limits of safe growth. Doc NY/200 shows in general terms the function of each part of the Green Belt.

A7.18 The Greater York Study derived from the concern expressed by the Secretary of State expressed in his approval letter for Alteration No 1 to the Structure Plan. The Study is the result of close co-operation between all the constituent planning authorities and was the subject of consultation. Its conclusions are therefore material to the consideration of the Green Belt. York City Council were a party to it and have only objected to one specific site in the current Plan as amended by the Proposed Changes.

A7.19 The Local Plan is in general conformity with the approved Structure Plan. Alteration No 3 is now on deposit, but was the subject of consultation from which it is clear that there is public support for the proposal for a new settlement. This proposal is in accord with the advice in PPG3 and is supported by potential developers. There is every reason to suppose that the concept will be realised.

A7.20 The new settlement is currently proposed to have some 800 to 1000 dwellings to 2006. It therefore forms a smaller proportion of the Council's locational strategy than was previously the case when the intention was for 2500 dwellings, but it would ease any pressure that might otherwise occur as a result of a tight Green Belt boundary. If a new settlement did not materialise then consideration would have to be given to other less desirable options such as the expansion of towns or villages outside the Green Belt or the release of Green Belt land. The size now proposed would be sufficient to provide a balanced community supporting sufficient facilities, including employment. Both Selby and Ryedale District Councils have taken a positive approach to possible locations. After 2006 consideration could be given to any development strategy other than peripheral expansion.

A7.21 In estimating housing requirements for the Greater York area the Council, unlike the objectors, have taken local factors into account to provide the estimates with a firm base. The 1985 headship rates are considered to be a more reliable base than the 1989 rates used by the objectors (Doc NY/70). It is anticipated that there will be a need for some 8850 dwellings between 1991 and 2006. Population projections beyond 2006 are unreliable and lie beyond the current Structure Plan period. In any event, because of the strategic purpose of the Green Belt, a numerical approach to its inner boundary is inappropriate.

A7.22 Undeveloped land within the Green Belt, together with the proposed new settlement, would allow for the reasonable future development of Greater York whilst ensuring that the primary objective of the Green Belt Local Plan would still be maintained. The scale of development implied by the objectors' estimates would severely undermine that objective. The drawing back of boundaries to allow for areas of "white land" or the designation of strategic reserves of land would indicate that such land has potential for development. Applications for its development would be difficult to resist, and such development would be likely to have an adverse effect on the character of the historic city.

Case for the Supporters

C1579A Galtres Heritage (York) Ltd
G1887A M H K Brumby

C1580A & R G Whipp

A7.23 The land allocations should be as set out in the Greater York Study. Any allocation beyond this would adversely affect the character of the area. It is wrong to regard the Green Belt as being wholly new - a sketch Green Belt has been in existence for many years and has been treated as if it had been approved.

A7.24 It is appropriate to assume that a new settlement will be built beyond the outer boundary of the Green Belt, with an absolute minimum size of 800 dwellings, but with a much larger eventual size. It would function as a safety valve for development pressures. A tight inner boundary to the Green Belt will protect the character of York and the amenities of local communities.

Inspector's Conclusions

A7.25 PPG2 follows Circular 14/84 in stating that 'the essential characteristic of Green Belts is their permanence'. 'Permanent' cannot mean 'for all time' in the way that even such outstanding human creations as, say, Maas Hove, the Great Wall of China or York Minster might optimistically be so described. The word is used in the context of the operation of a policy, and must refer to the lack of any intended end-date for this particular policy, unlike policies for, say, the allocation of housing or employment land. PPG2 goes on to state that 'their protection must be maintained as far as can be seen ahead' and this implies a duration not merely to the end of any current plan period but to such time as circumstances are so different that the underlying purpose of the Green Belt has to be considered in a wholly different context.

A7.26 It follows from this approach that Green Belt boundaries should be defined with the intention of enduring beyond any current plan period and, as PPG2 states, 'any proposals affecting Green Belts should be related to a time scale which is longer than that normally adopted for other aspects of the plan'. Therefore even if the boundaries of a Green Belt were being defined in a strategic context set out in a Structure Plan that had only recently been adopted and which was therefore wholly up to date, the life of the boundaries would be intended to last beyond the period of that Plan and into that of a Plan whose preparation is unlikely even to have started.

A7.27 Thus it is always possible to argue that Green Belt boundaries are premature, in the sense that the strategic context for the whole length of their life will only be known many years ahead, and with the benefit of hindsight. Once a strategic decision has been taken as to the general extent of the Green Belt all that realistically can be done is to define the inner boundaries by reference to the underlying purposes of the Green Belt and to the current strategic context, ensuring that only land which it is necessary to keep permanently open is included so as to minimise the need for early encroachment into the Green Belt to allow for future development. If Structure Plans are normally concerned with a 15 year Plan period, it must follow that the life of the Green Belt must be intended to be longer than this, and I share the view of the objectors that this could normally be expected to be at least some 20 to 25 years, although mathematical precision is not really relevant in a context where change should only occur as a result of wholly unforeseeable changes of circumstance.

A7.28 The booklet 'The Green Belts' (1988) states that the main purpose of the York Green Belt is to safeguard the special character of the historic city, which might be endangered by unrestricted expansion. Bearing in mind the national and international fame and importance of York, I can see no reason to anticipate any significant change or derogation from this aim in future. I do not consider that this special character is only related to the walled city, or even just to the green wedges extending almost to that walled city. It relates more to the more general size and character of York. Even from the top of the Minster Tower the countryside around York can barely be seen, other than the parts of the green wedges. Since the construction of the Ring Road views from that road are of especial significance, particularly when they include views of the Minster which define thereby the location of the city centre and indicate the general scale and character of York. I consider that in general there would be serious harm to views of the city from the Ring Road if development were permitted to come right up to the latter and even more so if it passed beyond it.

A7.29 At present Alteration No 3 to the Structure Plan has only reached Deposit stage, and it is possible that the Examination in Public may result in substantial changes being made to it. I note in particular the objections made to the small size of the proposed new settlement as well as the concern expressed about the practicability of such a settlement. These however are not matters before me. My concern is whether a Green Belt which, as defined in the Deposit Plan, would make little provision for future peripheral growth would necessarily have to rely upon the adoption of one particular and as yet unadopted new strategy, and whether such reliance would be acceptable. The present Plan is based on the assumption, deriving from Structure Plan Policy E8, that there will be a Green Belt around York whose outer edge should be about 6 miles from York City centre. All of my conclusions and recommendations are also based on this same assumption. Any major change of strategic approach, such as might follow from the placing of greater weight on the desirability of reducing travel distances and on increasing the compactness of urban areas, could lead to a fundamental reappraisal of the concept of a Green Belt and its replacement with, for instance, a series of 'green slices' based on an extension of the present green wedges. My concern in the present report, however, is not with this but with the most appropriate method of implementing a strategic decision which has already been made by the approval of Policy E8(iv) of the Structure Plan.

A7.30 As land within the Ring Road is a finite quantity and the Green Belt is 'permanent', it must be assumed that in approving the principle of a York Green Belt the Secretary of State was accepting the eventual need for a strategic policy which would provide for at least some high proportion of future development needs to be met other than by peripheral growth. Although clearly the Council at present wish to incorporate a new settlement into their strategy in Alteration No 3, I note that, at least during the period to 2005, this would form a relatively small part of the overall development provision. Alternatives might include the expansion of existing towns or villages beyond the Green Belt. I consider that limited opportunity for peripheral growth is an inevitable consequence of the decision to have a Green Belt and of its primary stated purpose.

A7.31 It follows that attempts to relate the amount of land that should be left for new development within the Green Belt to particular development strategies or to particular estimates of needs can be accorded only very limited weight given the main purpose of this particular Green Belt. Whatever strategy or estimate is chosen, at some stage within the life of the Green Belt the shortage of land on the periphery of York will mean that there will be very great pressures for development in the Green Belt. Those considering

the future strategy for this part of the County must take this as one of their starting points and make provision accordingly if the Green Belt is to have any real chance of being 'permanent'.

A7.32 I believe that in the case of the York Green Belt the main test to establish whether land on the periphery of the built-up area does or does not fulfil the prime Green Belt function should be a visual one. It is necessary to ask whether each site is open, and if so whether it is essential for that or any other Green Belt function that it should remain so. PPG2 warns of the need to establish boundaries carefully and not to include any land which it is unnecessary to keep permanently open. In considering each of the sites to which objections have been made I have borne this in mind. I have also borne in mind that in some places views of York from the Ring Road detract from the overall character of the city because of their harshness or illogicality, and that in these places development might be an improvement, assuming careful layout and design and the use of suitable landscape treatment. Such development would however in some cases make an unsatisfactory situation worse by reducing to an unacceptable degree the width of open areas, in particular of important green wedges extending into York.

A7.33 A number of the villages which lie within the general extent of the Green Belt are inset into it. I consider objections to this principle in respect of particular villages and to the boundaries of particular insets later in my report. Many of these villages, and also of the villages that are 'washed over' by the Green Belt, have an attractive and special character which is worth preserving not only for their own sake but because of their physical relationship with York itself. The setting of York within an area of open countryside containing a number of attractive villages is itself an important aspect of the special character of York, which of course it is the primary purpose of the Green Belt to maintain.

A7.34 This does not apply to all of the inset villages. In some cases substantial growth has taken place in recent years, much of it apparently since the approval of the general extent of the Green Belt although the reasons for this remain unclear to me. The Council's present view is that this should no longer occur under Structure Plan Policy E10. It appears to me that in general further substantial growth on open land which must necessarily fall within the general extent of the Green Belt would be contrary to the general aims of local and national policy. Any limited exceptions to this approach, such as I recommend in the case of Haxby/Wigginton, can only be acceptable where there are specific and compelling reasons.

A7.35 It is not my task in relation to this Plan to indicate how much of the land within the Green Belt is capable of development for residential or employment purposes, or how much of that land should be reserved for long term development. I need only remark that it is plainly apparent that the amount of such land is very limited and that if it were to be consumed too early there would be very substantial and possibly justified pressure to release land from the Green Belt, contrary to national guidance and to the aims of the Green Belt.

Recommendation

A7.36 I recommend that no change be made to the Local Plan.



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Your Ref: I4/00924/FULM

Our Ref: APP/C2741/W/15/3135274

Diane Wilkinson
City of York Council
Head Of Development Control
Directorate of City and Environmental
Services
West Offices, Station Rise
York
YO1 6GA

10 August 2016

Dear Diane Wilkinson,

Town and Country Planning Act 1990

Appeal by B&Q and Sainsbury's Supermarkets Limited

Site Address: B & Q Plc (Osbaldwick Link Road), Osbaldwick, YORK, YO10 3JA

Following a site visit in connection with the above mentioned appeal on 8 February 2016, the Inspector decided, after careful consideration of the submissions, that it was necessary to arrange a hearing. Accordingly, he invoked the provisions of s.319A of the Town and Country Planning Act 1990 (as amended) and a date for a hearing was agreed, which took place on 28-29 June 2016.

There were two key reasons for moving to a hearing and these stemmed from the need to examine the noise evidence in more detail and the legal interpretation of the conditions imposed by the Council. As this was an application made under s.79 of the Town and Country Planning Act 1990, the appeal fell to be considered by the appointed Inspector as if the application was before him for the first time.

Before arranging the date for an appeal hearing, the Appellants were invited to consider your position, given the Inspector's observations above and the possible implications for his approach to the extant permission if his initial concerns were to prove well founded. Despite this offer you took the decision to proceed with the appeal at the hearing.

Having now heard all the evidence and considered the application afresh the Inspector is content that he has adequate information to address the appealed condition and the wording and implementation of the remainder. However, the Inspector has found there are several irreconcilable matters arising from the highways submissions, third party representations and his site visits. Before reaching a decision, as highway matters were not something that triggered the hearing, the Inspector considers it only fair to invite the parties to present any additional information in respect of the topics that are causing the Inspector concern.

The trigger for the Inspector's stems from the submissions by a significant number of third parties highlighting what they perceive as existing problems and the portend for the

situation to get far worse. In response to this, the Inspector spent some time at the site on the Monday evening before the hearing opened. As he informed the hearing, what he saw did not correlate with the outturn from the Transport Assessment, but more closely reflected the position taken by third parties. In closing it was said that it was unfortunate that the conditions the Inspector saw were different from the day the baseline survey was taken, implying that what he saw may have been unusual. To satisfy himself, the Inspector returned on the Wednesday and observed the evening peak hours along Hull Road in the vicinity of the appeal site. The conditions were far worse on this evening than they had been on the previous Monday.

What the Inspector observed on site during the Monday evening peak prior to the hearing the next day was an eastbound queue that backed from the access/egress junction for the P&R through the Hull Road/ Osbaldwick Link Road signal controlled junction and back beyond the bus stop and approaching the roundabout at Field Lane/ Tranby Avenue. On the following Wednesday, at times the queue from the P&R junction extended through this roundabout and then for a distance of some 200 m further to the west. The Inspector observed that this inhibited the operation of the roundabout and introduced frequent breaches of the dedicated run-in lane to the PFS, which has access almost immediately from the roundabout.

Although the Transport Assessment predicts that for the design years of 2019 and 2024 the existing highway system, with some modifications as a result of this proposal and improvements to the junction of Hull Road A1079 with the York By-pass A64, to be paid for by the University, the highway system would operate within acceptable levels. The observations make it difficult to accept this outcome, with the increased flows forecast. As a consequence, the Inspector would welcome comments on the following matters:

1. In policy terms, paragraph 32 of the Framework says that development should ensure "safe and suitable access to the site can be achieved for all people;" and "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". What do the parties understand is the relevant test implicit in this policy statement, with particular reference to the use of the descriptors "residual" and "severe";
2. The baseline survey was taken at a sensible time of year on what is normally considered to be the busiest weekday - namely Friday 1 March 2013. However, this was before the commencement of summertime, when part of the evening peak would have been during dusk. The Inspector's observations were in the height of summer, in full daylight, when traffic might have been expected to be more free flowing. Is there any reason why the March 2013 counts taken or the observations by the Inspector should not be assumed to be robust? For example did school holidays affect either date or were there road works that could have led to greater flows on Hull Road.
3. Why was it not considered necessary to undertake counts on more than one day or to validate the counts by measurement or observation before the hearing some 3-years later?
4. The hearing was informed that the detection loops at the A1079/ Osbaldwick Link Road junction were not working in 2013 and are still not working today. What difference in performance of the junction, if any, is considered likely with detection fully operative, bearing in mind traffic conditions are heavy and queues were observed not to clear each cycle?

5. The traffic generation and assignment figures adopted in the Transport Assessment also raise a number of concerns. Comments on each of these detailed aspects would be helpful to the Inspector:

a. The use proposed is for a food retail store and this could be occupied by any of the major retail operators. As such, would it not have been more appropriate to adopt 85%tile traffic figures from a spectrum of stores, rather than simply take the mean figure for Sainsbury stores?

b. In terms of a design year, 2019 might have been acceptable when the application was submitted, but why was it not felt necessary to update this to 2021 for the appeal hearing?

c. In adopting traffic figure for the design year, growth was assumed to all come from committed development, with no allowance for underlying growth. In the Transport update much of the committed development was judged to have lapsed and, thus, the assessment was considered to be robust. However, no calculation of the committed development and the underlying growth factor was done. As the automatic traffic counter positioned on Hull Road between Osbaldwick Link Road and the Field Lane roundabout shows growth of some 6.3% in the last 3-years, this would appear to indicate a significant underestimate of the likely position in 2019 and certainly 2021. Having regard to this, how can the position of the parties be justified?

d. Similarly, although the application was submitted in 2014, with 2024 adopted as the year for the A64 Trunk Road assessment, in line with Department for Transport Circular D2/2013, has the Highways Agency reviewed its position or is its consultation response to take into account the slippage in this scheme or the 6% growth between 2013 and 2016?

Is the improvement scheme at the A64 junction programmed for introduction prior to 2024 and if so, what are the predicted consequences for traffic flows on Hull Road, especially eastbound?

e. When assessing the traffic attraction to the Sainsbury store there was a discount for traffic already on the system, but making diverted, pass-by or linked trips and not a single purpose dedicated trip. The Inspector expressed concern about the choice of the six stores to provide the average or mean figures. One key element of the Transport Assessment was that comparator stores excluded those in Greater London, as they tend to exhibit different travel characteristics. However, in assessing the percentage of trips for primary transfer, diverted and pass-by, stores at Hampton and Croydon were used. These are within the M25 cordon and, crucially, this materially distorts some figures. This was justified by saying that sites on commuter routes in conurbations exhibit higher pass-by rates. Whereas the Inspector accepts this can be the case, in what is essentially an isolated location at the limits of urban development, albeit on a radial route into York City Centre, what similarities are there to the two London stores?

6. After establishing the traffic flow predictions for the design years, the next stage taken was to assign these traffic figures to the network and test the system. At present, we have two sets of traffic signals on Hull Road at the P&R and the Osbaldwick Link Road. The detection loops do not work at the latter and the signals at the two junctions are not linked. A further signal controlled junction is proposed at the access to the appeal site on Osbaldwick Link Road and the addition of two Toucan pedestrian crossing facilities, one across the access into the appeal site and the other across Hull Road approximately mid-

way between Osbaldwick Link Road and the Field Lane roundabout.

The only calculation undertaken as part of the Transport Assessment has employed standalone LINSIG runs at the Hull Road/ Osbaldwick Link Road junction and the junction of Osbaldwick Link Road with the site access. Why was it not considered necessary to assess these junctions in linked format rather than in isolation?

7. Even then, it seems that in the case of the latter the LINSIG run was not adjusted for the 'reduced' turning radii available at the junction. Is this correct and, if so, what effect would this have for the outturns?

8. There is an allegation raised by the third parties that there is rat-running along 'parallel' roads in Osbaldwick to avoid congestion on Hull Road. This would employ Murton Way to pass under the A64 and then feed back to the roundabout junction at the intersection of the A1079/A64. Can the parties confirm the information given to the hearing that the traffic flows along Murton Way have not increased materially since 2003? A print out of the flows would assist in this regard.

9. The number of car parking spaces proposed raises a question in the Inspector's mind. The development would provide a total of 505 car parking spaces including those for the mobility impaired, parent and child and six electric charging points. Based on the maximum allowance in the 2005 DCLP the figure could be twice as high, at 1,042 car parking spaces. What evidence is there that the balance of trips not made by car would be made by other travel modes or subsumed in the move to on-line shopping? In addition, would the figure for spaces required be higher than 505 for any of the other major food-store retailers?

An indication of the walk trips might be delivered if the number of dwellings within the 800 metre Isochrones could be assessed, with 'true' walking distances from the shop entrance.

10. If the car park did become congested, what queuing reservoir would be available before there was a direct impact on the surrounding highway network and what are the likely consequences?

In summary, the Inspector needs to be in a position to conclude that the residual effect on the surrounding highway network, 5-years hence would not be severe in the terms espoused by paragraph 32 of the Framework.

It is normal in such circumstances that the local planning authority (LPA) should deliver its views first, with the final comments coming from the Appellants. However, an alternative may be that an agreed submission could be drafted. If the former, then **the LPA is asked to produce its comments by 2 September 2016, with the Appellants' response with the Inspector by 16 September 2016.** If there is to be a joint submission then the 16 September 2016 would be an appropriate date for the information to be with the Inspector. Either way, it would assist if the Inspector could be informed of the approach to be adopted or if any difficulties in providing the information are foreseen.

This should not be seen as an exercise that would preclude the Appellants reconsidering their position. It would still be in the Appellants' gift to withdraw their appeal. The Inspector is mindful that if the appeal was withdrawn and the use commenced this would give time for the present servicing arrangements to be assessed, with the potential to apply for an extension if the harm did not prove to be inordinate. The responsibility for

any problems with the functioning of the highway network in the future would devolve to the responsible highway authorities.

The Inspector acknowledges the application for costs made by the Council against the Appellants and this remains in place. Should the appeal be withdrawn this would be dealt with separately. In the event you do not withdraw your appeal then the Inspector will await the further comments requested before moving to issue his fully reasoned decision.

Yours sincerely,

Attila Borsos

Attila Borsos

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>



The Planning Inspectorate

Room 3M
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0303 444 5124
Customer Services:
0303 444 5000
Email: teamp1@pins.gov.uk

www.gov.uk/planning-inspectorate

Mrs Marianne McCallum
Turley
2 Bond Court
LEEDS
LS1 2JZ

Your Ref:
Our Ref: [APP/C2741/W/15/3135274](#)

17 August 2016

Dear Mrs Marianne McCallum,

Town and Country Planning Act 1990
Appeal by B&Q and Sainsbury's Supermarkets Limited
Site Address: B & Q Plc (Osbalwick Link Road), Osbalwick, YORK, YO10 3JA

Further to your e-mail, the Inspector appointed to determine the above appeal, against the decision of City of York Council to grant, subject to conditions, planning permission for Use of premises as retail food store with external alterations including reconfiguration of shop front, canopy, installation of new customer cafe and associated toilets, installation of ATM's, removal of existing garden centre and builders yard and reconfiguration of site access and customer car park at B & Q Plc (Osbalwick Link Road) has asked me to write to you to clarify your position.

As indicated in the Inspectorate's previous letter, the Inspector has concerns about much of the highway evidence produced for the hearing and with the present information would be minded to reverse the Council's decision. This was the reason for requesting additional information on this topic. In addition, although the Inspector considers he has adequate information to reach a conclusion on the hours when servicing should be permitted, he believes that the potential for noise during unsocial hours, coupled with the further potential for lighting and activity, and the context of this in such close relationship to sensitive receptors lead him to the view that a more restrictive regime than that permitted by draft Condition 25 would be necessary.

The Inspector, having exercised his powers under S79 of the 1990 Act and looked at the whole permission afresh, as if it had been made to the Secretary of State in the first instance, is in a position to proceed on this basis.

In light of the above the Inspector invited you to consider withdrawing the appeal, thereby retaining the approval as granted by the Council. Within the legislation embodied within s.79 and s.319A of the Town and Country Planning Act 1990 (as amended, neither the act of appealing nor the holding of an appeal event has the effect of cancelling an extant planning permission granted by the Council. In this case, if the appeal is withdrawn this will remain extant for the duration of permission, namely until 13 March 2017. In the

previous letter, the Inspector explained the consequences of withdrawing the appeal.

Under these circumstances, the Inspector proposes to defer issuing his decision on your appeal until you have considered the position. If you intend to pursue your case then the timetable for presenting information has been communicated to you. On the other hand, if you wish to withdraw your appeal and retain your March 2015 planning permission as it stands then the Inspector asks that you inform the Inspectorate within 14 days from the date of this letter.

A copy of this letter has been sent to City of York Council and I would be grateful if, when replying, you would copy your response to them.

Yours sincerely,

Attila Borsos

Attila Borsos

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>

TANG HALL LANE

ACCIDENT STUDY

R. D. Waterman, C.Eng.,
F.I.C.E., F.I.H.T., F.I.P.H.E.,
F.S.I.M.,
City Engineer and Surveyor

7 St. Leonard's Place,
York YO1 2EU

November 1985

Lane junctions, together with Melrosegate/Fifth Avenue (2.2, 2.6 and 2.10).

- (ii) At peak times the theoretical capacity of the road is well exceeded, like many other local distributors in the City. Through traffic forms a significant element of the total flows along the road which is part of an A19 (north) to A1073 movement (3.1.1 and 3.1.2).
- (iii) The highest pedestrian flows are to be found outside the shops near Lang Avenue and at the Millfield Lane junction, although neither site meets the recognised criteria for the introduction of a pedestrian crossing (3.2.3 and 3.2.4).
- (iv) Short-term on street parking is a particular problem outside the row of shops and near the Millfield Lane junctions. Because of the road's limited carriageway width, however, any parked vehicle will cause an interruption to normal two-way flow (3.3.3 and 3.3.4).
- (v) The completion of the first stage of the Outer Ring Road in 1986 will have a sizable impact in reducing the numbers of HGV's which use this road as a through route. (3.8).

4.0 PROPOSALS

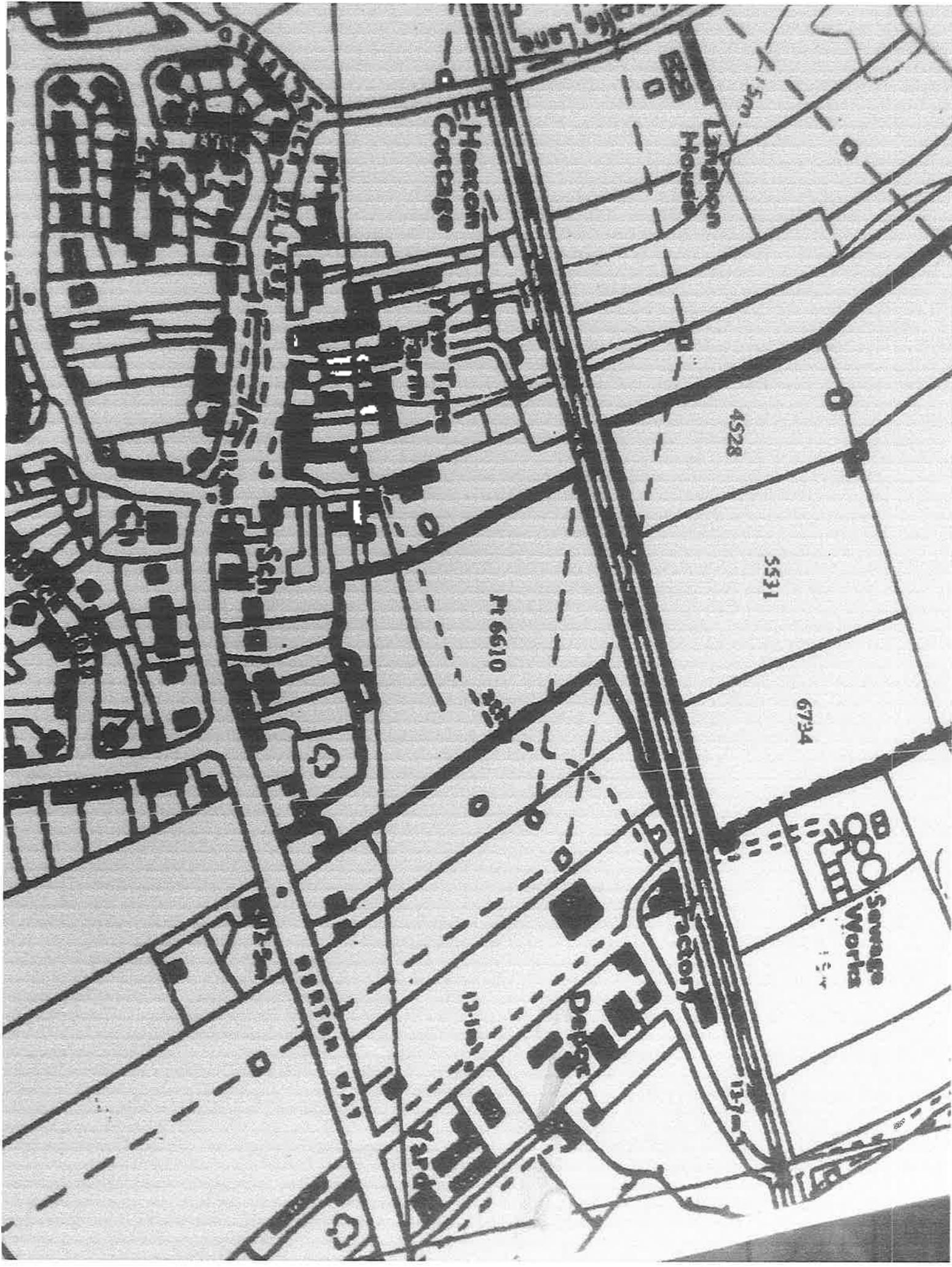
4.1 It is recognised that there would be some degree of support from residents for the closure of Tang Hall Lane at a suitable point along its length in order to reduce the through traffic element which is perceived as being a major cause of accidents. After careful consideration of this proposal, it has been rejected on the following grounds :-

- (i) It would lead to an almost doubling of vehicular flows along Melrosegate which with its frequent road junctions is likely to result in the same problems currently faced in Tang Hall Lane.

4.5 Millfield Lane/Osbaldwick Lane junction has the second highest accident record of the previous five years, a significant proportion of which involved pedestrians who were crossing Tang Hall Lane to the south of the junction. Although a school crossing patrol has been provided to assist school children, the level of pedestrian/vehicle conflict on this particular arm outside peak hours suggests that a pedestrian refuge would be justified, however, some widening of the carriageway will be necessary in order to provide one.

The location of the Doctors' Surgery and Post Office which are situated on opposite corners of this junction will together ensure that on-street parking is always likely to be a problem in this locality. A parked vehicle on the carriageway at this point will prevent two way flow, creating a hazard both for drivers and pedestrians by reducing sight distances. Most of the parking can be removed from the immediate vicinity of the junction by the use of waiting restrictions but measures will still be needed to ensure two-way flow can be maintained beyond these restrictions whilst still allowing parking to continue. It is recommended therefore that the carriageway in Tang Hall Lane is widened over a length commencing at the Tuke Avenue junction and extending to about 50 metres south of the Millfield Lane junction. The particularly wide footway along the western side of Tang Hall Lane could be reduced to accommodate this measure and an 8 metre wide carriageway should be possible.

Vehicular flows at this junction and for that matter along Tang Hall Lane itself are swelled by through traffic proceeding to and from Osbaldwick and ideally measures should be taken to transfer as much traffic as practical to the primary road network, i.e. Hull Road. In order to achieve this, however, it would be necessary to introduce road closures and prohibited movements in Osbaldwick Lane and Millfield Lane, which would be unpopular



From: "Macefield, Rachel" <Rachel.Macefield@york.gov.uk>
Date: 16 March 2018 at 10:44:23 GMT
To: "Cllr. M. Warters" <mark@markwarters.co.uk>
Cc: Parish Council Osbaldwick <osbaldwickparishcouncil@yahoo.co.uk>, "andrewrev73@gmail.com" <andrewrev73@gmail.com>, "Weastell, Mary (Chief Executive)" <Mary.Weastell@york.gov.uk>, "Slater, Michael" <Michael.Slater@york.gov.uk>, "Cooke, Alison (City Development)" <Alison.Cooke2@york.gov.uk>
Subject: RE: Green Burial Area, Osbaldwick.

Dear Cllr Warters

Firstly may I apologise that you have not had a response sooner, I have just returned from long term sickness absence and unfortunately this email had not been picked up in my absence.

As you are aware we are currently out to consultation on the final draft of the Local Plan. As we are at this final 'publication' stage the consultation is different to those undertaken at previous 'draft' plan stages in that all the comments received will be collated and sent to the Inspector for examination. In this regard the comments should focus on whether the plan is within the law and whether it is 'sound'. In considering the 'soundness' of the Plan the Inspector will look at whether it is positively prepared, justified, effective and consistent with national policy.

In this context I would advise you to submit your comments outlined below, using one of the standard comments forms, to us by the closing date of consultation on 4th April. A summary of these comments will be reported to Members of the LPWG, Executive and to Full Council along with a report asking Members to consider whether they wish to submit the Plan for examination.

Please come back to me if you have further queries

Kind Regards

Rachel

Rachel Macefield | Forward Planning Team Manager
t: 01904 551356 | e: rachel.macefield@york.gov.uk <<mailto:debbie.manson@york.gov.uk>>

City of York Council | Planning and Environmental Management
Directorate of Economy and Place
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[@CityofYork](http://twitter.com/cityofyork) <<http://twitter.com/cityofyork>>

From: Mark Warters [<mailto:mark@markwarters.co.uk>]
Sent: 04 March 2018 11:20
To: Macefield, Rachel
Cc: Parish Council Osbaldwick; andrewrev73@gmail.com; Weastell, Mary (Chief Executive)
Subject: Green Burial Area, Osbaldwick.

Dear Rachel,

Unsure now since Martin Graingers departure just who is dealing with strategic planning matters so I have sent this request to yourself.

I would to request designation of the land OS reference Pt 6610 in Osbaldwick as 'Green Infrastructure' within the Local Plan process.

The aspiration for the piece of land detailed in the maps below is to use it as a 'Green Burial Area', whether that takes the form of an area where trees are planted following burials or the area is kept as a wildflower meadow is open to debate.

There is a willing landowner and a clear need in Osbaldwick (closed churchyard) and Murton (small Burial Area filling up), the Parishes served by St. Thomas Church to identify a suitable area in the near future.

I believe identification of this area would fulfil all requirements of Local Plan Policy G17 and look forward to designation of this land as 'Green Infrastructure' then and only then would the landowner, Osbaldwick PC and St. Thomas Church be able to make detailed plans regarding land management.

The 'Green Infrastructure' designation is important to give comfort to all parties that there is merit in undertaking any work on this project as obviously this plot can not be deemed to be part of ST 7 within the Local Plan and have the landowner, PC and Church expending time, effort and cost.

As you will see from the maps the proposed area is close to the Church and has access from Murton Way under the same (willing) ownership.

Look forward to your thoughts.

Regards,

Cllr. Mark Warters

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)

NOT LEGALLY COMPLIANT - OUT OF DATE MAPS
PARAGRAPHS 2.7, 2.8 & 2.9 OF SUBMISSION
ATTACHED

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.(1). 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.

'POSITIVELY PREPARED' - NOT IN THE ABSENCE OF AN ENVIRONMENT CAPACITY STUDY
 PARA 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16 + ATTACHMENTS.

'EFFECTIVE' - NOT IN THE ABSENCE OF CREDIBLE TRAFFIC PROPOSALS 3.12, 3.13, 3.14, 3.15, 3.16 + ATTACHMENTS

'JUSTIFIED' - NOT JUSTIFIED TO PROMOTE SUCH LEVELS OF GROWTH PARA 3.3.

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

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

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

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

CITY OF YORK COUNCIL TO UNDERTAKE AN ENVIRONMENT CAPACITY STUDY.

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 REPRESENT RESIDENTS IN THE OSBALDWINCK & DERWENT WARD & HIGHLIGHT HOW THE DRAFT LOCAL PLAN HAS FAILED THIS WARD.

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 B - Your Representation

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

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

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment



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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)

| | | |
|------------|------------|--------------------------------|
| NOT | LEGALLY | COMPLIANT. |
| USE | OF | OUT OF DATE & MISLEADING MAPS. |
| SUBMISSION | PARAGRAPHS | - 2.7, 2.8 & 2.9. |

What does 'Sound' mean?

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

Yes

No

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

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

Positively prepared

Justified

Effective

Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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

| | |
|-------------------------------------|---|
| REFERENCE | SUBMISSION PARAGRAPHS 4.1 to 4.6 |
| ST 4 | FAILS ALL 4 TESTS OF SOUNDNESS |
| 'POSITIVELY PREPARED' / 'EFFECTIVE' | - NO CREDIBLE TRANSPORT SOLUTIONS OFFERED, SERIOUS POTENTIAL FOR DISRUPTION TO PARK & RIDE OPERATION |
| 'JUSTIFIED' | - NOT JUSTIFIED GIVEN BUFFER ZONE GREEN CORRIDOR ROLE OF SITE. |
| CONSISTENT WITH NATIONAL POLICY | - NOT CONSISTENT WITH NAT. POLICY IMPORTANT VIEWS OF CITY COMPROMISED ALONG WITH LOSS OF BIO-DIVERSITY - WOODLAND |

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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REMOVAL OF SITE STA FROM THE
DEVELOPMENT PLAN.

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

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

Yes, I wish to appear at the examination

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

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TO REPRESENT RESIDENTS IN THE OSBALDWIN &
DERWENT WARD.

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 B - Your Representation

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



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Yes

No

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

Yes

No

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

NOT LEGALLY COMPLIANT IN REFERENCE TO
ST 7. 'CONSULTATION' INVITED ON OUT OF DATE
& THOROUGHLY MIS-LEADING MAPS.

SUBMISSION PARAGRAPHS - 2.7, 2.8 & 2.9.

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

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

Yes No

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

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

Positively prepared Justified
 Effective Consistent with national policy

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(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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

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

| REFERENCE | SUBMISSION | PARAGRAPHS | 4.7 TO 4.21 |
|-----------------------------------|---|--------------------------|-------------|
| ST 7 | FAILS | ALL 4 TESTS OF SOUNDNESS | |
| 'POSITIVELY PREPARED' | - NO, FAILS TO TAKE INTO ACCOUNT GREENBELT SETTING OF CITY, FAILS TO PRODUCE CREDIBLE ACCESS/EGRESS PROPOSALS | | |
| 'EFFECTIVE' | - NO EFFECTIVE TRANSPORT PROPOSALS SCHEME AS SUBMITTED (845 HOMES) NOT VIABLE ACCORDING TO DEVELOPERS | | |
| 'JUSTIFIED' | - INCLUSION OF SITE NOT JUSTIFIED TAKING INTO ACCOUNT PREVIOUS PLANNING INSPECTORS DECISIONS ON SAME LAND. | | |
| 'CONSISTENT WITH NATIONAL POLICY' | - NOT CONSISTENT WITH NPPF GREENBELT POLICY. | | |

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

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REMOVAL OF ST7 LAND EAST OF METCALFE LANE FROM DEVELOPMENT PLAN.

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

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



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Yes

No

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

AS BEFORE, DOCUMENT AS A WHOLE
FAILS ON USE OF OUT OF DATE MAPS
FOR CONSULTATION.

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

Yes No

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

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

Positively prepared Justified
 Effective Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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

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

REFERENCE SUBMISSION PARAGRAPHS 5.1 TO 5.3

POLICY FAILS TO TAKE INTO ACCOUNT ASKHAM BRYAN COLLEGE.

'POSITIVELY PREPARED' / 'JUSTIFIED' / EFFECTIVE

- NO. POLICY NOT WORDED STRONGLY ENOUGH TO BE EFFECTIVE.

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

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

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

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

POLICY TO INCLUDE REQUIREMENT FOR
YORK UNIVERSITY, YORK ST JOHN UNIVERSITY AND
ASKHAM BRYAN COLLEGE TO ACCOMMODATE ALL
FUTURE EXPANSION NUMBERS OF STUDENTS ON
CAMPUS

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 REPRESENT RESIDENTS IN OSBALDWICK &
DEWENT WARD

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 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)

AS BEFORE, DOCUMENT AS A WHOLE FAILS
ON USE OF OUT OF DATE MAPS FOR
CONSULTATION

What does 'Sound' mean?

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

What makes a Local Plan "sound"?

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

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

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

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

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

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

Yes

No

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

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

Positively prepared

Justified

Effective

Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref

Site Ref.

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

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

REFERENCE SUBMISSION PARAGRAPHS 5.4 TO 5.9.

UNFOUNDED TO PROGRESS WITH A POLICY THAT HAS HAD CATASTROPHIC CONSEQUENCES ON THE HOUSING MARKET IN AREAS CLOSE TO THE TWO UNIVERSITY SITES.

FAILS ON ALL 4 TESTS OF SOUNDNESS

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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REDUCTION IN ACCEPTABILITY THRESHOLDS
PERCENTAGES HALVED FOR BOTH NEIGHBOURHOOD
& STREETLEVEL THRESHOLDS

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 REPRESENT RESIDENTS IN THE OSBALDWICK &
DERWENT WARD

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Part B - Your Representation

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

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

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

Yes

No

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

Yes

No

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

USE OF OUT OF DATE MAPS FOR CONSULTATION.

What does 'Sound' mean?

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

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

Yes

No

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

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

Positively prepared

Justified

Effective

Consistent with
national policy

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

(Complete any that apply)

Paragraph
no

9.21

Policy
Ref.

9.17

Site Ref.

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

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

THE PLAN APPEARS TO NEGLECT TO IDENTIFY SUITABLE SITES FOR BURIAL GROUNDS & AS SUCH FAILS THREE OF THE TESTS FOR SOUNDNESS.

REFERENCE PARAGRAPHS 6.1 TO 6.2 OF SUBMISSION WITH ATTACHED CORRESPONDENCE.

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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INCLUSION OF IDENTIFIED SITE IN OSBALDWINCK
AS A 'GREEN BURIAL SITE'

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 REPRESENT RESIDENTS IN OSBALDWINCK & DERWENT
WARD.

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 B - Your Representation

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

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

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Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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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)

AS STATED PREVIOUSLY USE OF OUT OF
DATE MAPS FOR CONSULTATION.

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 type="checkbox"/> |
| Effective | <input checked="" type="checkbox"/> | Consistent with national policy | <input type="checkbox"/> |

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

(Complete any that apply)

Paragraph
no.

8.8.

Policy
Ref.

01

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.

REFERENCE TO SUBMISSION PARAGRAPHS 7.1 TO 7.5

REFERENCE TO THE STREETSCAPE STRATEGY & GUIDANCE WITHOUT APPROPRIATE SUPPORTIVE WORDING IS NOT SOUND.

THE PLAN HAS NOT BEEN 'POSITIVELY PREPARED' TO MAKE THE INCLUSION OF THIS GUIDE 'EFFECTIVE'

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



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

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WORDING AS IN PARAGRAPH 7.5 OF THE
SUBMISSION

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 REPRESENT RESIDENTS IN OSBALDWINCK &
DERWENT WARD.

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Representations must be received by Wednesday 4 April 2018, up until 11 midnight.
Representations received after this time will not be considered duly made.

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

OFFICE USE ONLY:

ID reference:

RECEIVED

04 APR 2018

BY: _____

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

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

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

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

Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|---------------------------|------------------------------------|
| Title | MR. | |
| First Name | THOMAS | |
| Last Name | PILCHER | |
| Organisation (where relevant) | THOMAS PILCHER HOMES LTD. | |
| Representing (if applicable) | PILCHER HOMES | |
| Address - line 1 | TOWER HOUSE | |
| Address - line 2 | ASKHAM FIELDS LANE | |
| Address - line 3 | ASKHAM BRYAN | |
| Address - line 4 | YORK | |
| Address - line 5 | N. YORKS. | |
| Postcode | YO23 3NU | |
| E-mail Address | tom@thomaspilcher.co.uk | |
| Telephone Number | 01904 700233 | |

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

Part B - Your Representation

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

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

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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

Yes

No

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

Yes

No

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

What does 'Sound' mean?

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

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

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

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

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

Yes

No

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

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

Positively prepared

Justified

Effective

Consistent with
national policy

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

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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

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

Please see the attached representation which addresses Policy H1 (Housing Allocations)

Dear Sir or Madam,

York Local Plan: Publication Draft (Regulation 19 Consultation)

This is part of the representation made by Pilcher Homes to the City of York. Pilcher Homes is York's oldest house building firm. It is a small family business that has in the past built c. 2,000 houses in York. It currently has one active site in York for 9 units (site H12) but seeks the inclusion of site 191 Huntington North where the land has been owned and promoted since 1980 and site H28 Land north of North Lane, Wheldrake, where it has a minority land ownership enclosed by the land optioned and promoted by Linden Homes. (Appendix 1 site).

Representation on Policy H1: Housing Allocations

Policy H1 cannot be considered sound as it is not positively prepared, effective or consistent with national policy for the following reasons:

The plan does not provide a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period. The sites included are too large and would have long lead in times, followed by a slow build out period, due to the sales at a single location. The previous persistent undersupply has left a backlog which needs to be addressed quickly through the selection of deliverable, sustainable and viable sites. The plan does not provide five years' worth of housing with an additional buffer of 20% (moved forward from later in the plan period) to ensure choice and competition in the market for land. A 20% contingency to the overall housing land supply would provide sufficient flexibility for the purchaser and for unforeseen circumstances and in acknowledgement that the housing requirement is a minimum not a maximum figure. The focus should be on small and medium sized deliverable sites which are more cohesive with the existing urban edge and easier to integrate in to York's built environment.

The requirement for 20% of the housing allocation figure to be small and medium sites has also been ignored by the draft plan. It has chosen a politically motivated strategy of dumping large developments a long way out of town. This strategy of having few very large sites miles out of York is also contrary to the intent of paragraph 37;

37. Planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities.

Recommended modification:

The site selection process should be re-run with a focus on sustainable, deliverable, and viable sites. There should be a greater number of sites and there should be more small and medium sized sites. The site known as Huntington North should be included in the revised draft Local Plan sites because it complies with criteria 1, 2, 3 & 4 and technical officer assessment for transport (CYC officer's report page 162 para 3.4), geo-environmental, historic environment, landscape and design.

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 site selection process should be re-run with a focus on sustainable, deliverable, and viable sites. There should be a greater number of sites, and these should be more small and medium sized sites. These deliverable sites can meet the 20% buffer for the 5 year supply. H28 and site 191 are two obvious sites for inclusion which are both superior to current allocations.

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

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



Yes, I wish to appear at the examination

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

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

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

Part C - How we will use your Personal Information

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

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

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

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.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. 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 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

RECEIVED

11 APR 2018

BY:

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

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

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Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|-------------------------|------------------------------------|
| Title | MR. | |
| First Name | ROBERT | |
| Last Name | PILCHER | |
| Organisation (where relevant) | PILCHER HOMES LTD | |
| Representing (if applicable) | | |
| Address - line 1 | TOWER HOUSE | |
| Address - line 2 | ASKHAM FIELDS LANE | |
| Address - line 3 | ASKHAM BRYAN | |
| Address - line 4 | YORK | |
| Address - line 5 | N. YORKS. | |
| Postcode | YO23 3NU | |
| E-mail Address | robert@pilchergroup.com | |
| Telephone Number | 01904 700233 | |

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

Part B - Your Representation

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

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

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

Yes

No

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

Yes

No

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

What does 'Sound' mean?

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

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

5.(1) Do you consider the document is Sound?
Yes No

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

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

Positively prepared

Justified

Effective

Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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

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

Please see attached document relating to NPPF paragraph 112

Dear Sir or Madam,

York Local Plan: Publication Draft (Regulation 19 Consultation)

This is part of the representation made by Pilcher Homes to the City of York. Pilcher Homes is York's oldest surviving house building firm. It is a small family business that has in the past built c. 2000 houses in York. It currently has one active site in York for 9 units (site H12) but seeks the inclusion of site 191 Huntington North where the land has been owned and promoted for 38 years and site H28 Land north of North Lane, Wheldrake, where it has a minority land ownership enclosed by the land optioned and promoted by Linden Homes.

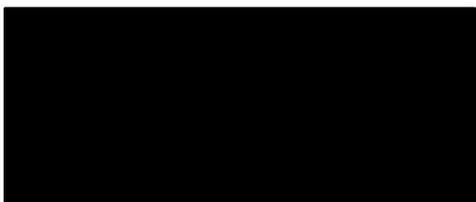
Paragraph 112 of the NPPF states;

112. Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

On 26th October 2017 Pilcher Homes asked City of York Council planning department if it had attempt to comply with the aim of paragraph 112 when undertaking its site selection process for its local plan. We have not received a response. Nonetheless the council states that 'we're currently working towards the new Local Plan being fully compliant with the National Planning Policy Framework (NPPF) and other relevant statutes'. It can therefore be assumed that it would aspire to comply with paragraph 112. The current analysis undertaken in the 2014 SHLAA does not adequately address this matter. The sustainability appraisal documents from 2013 are both out of date and fail to address this matter. It is clear that there should be a ranking list including all of the sites analysed by the SHLAA 2014 to create a hierarchy of greenfield land for development. Many of the draft sites perform poorly for sustainability and use greenfield (draft Green Belt) land where the agricultural value has not been ranked (ST7, ST8, ST9, ST14, ST15 and ST31). It is clear that all SHLAA sites should be ranked for agricultural value to comply with para 112 of the NPPF.

For example it is quite clear that ST9 – Land north of Haxby is high quality agricultural land (see document from Barton Willmore submitted 31st July 2013, section 5 written by Martin Popplewell and attached image). As land owner of Site 191 Pilcher Homes has never been asked to inform CYC of its agricultural value. Indeed 25% of that land is inaccessible waste land fenced off to protect a water pipe line and not farmed while 75% of it is rented by a tenant farmer for set-aside. The land is so isolated, inaccessible, and urban in location that it is not worth the farmer's efforts for grazing or arable farming. The ecological survey presented to CYC with applications 16/01073/OUTM and 15/00798/OUTM could have been used for evidence to create the ranking list. This land would rank very low on the agricultural value list and should therefore in line with para 112 be developed before sites ST7, ST8, ST9, ST14, ST15 and ST31. We urged CYC to undertake this work so that the draft Local Plan has a higher chance of complying with the NPPF and being signed off by the planning inspectorate.

Tom Pilcher, Pilcher Homes.



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.

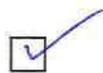
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After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Re run the call for sites and create a ranking list on all green field sites to comply with NPPF para 112. This should include all available sites and not just those proposed by the Local Plan working group.

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

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



Yes, I wish to appear at the examination



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

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

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Part C - How we will use your Personal Information

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Retention of Information

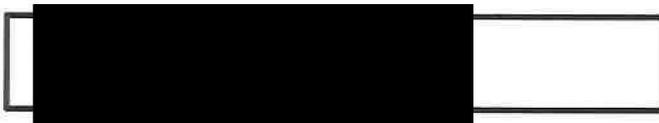
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local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

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Signature



Date

4 April 2018

¹Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17, 22, 35 & 36 Town and Country Planning (Local Planning) (England) Regulations 2012
²Regulation 19 Town and Country Planning (Local Planning) (England) Regulations 2012
³Regulation 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:
Reference:
RECEIVED
04 APR 2018
BY:

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

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

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

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

Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|-------------------------|------------------------------------|
| Title | MR. | |
| First Name | ROBERT | |
| Last Name | PILCHER | |
| Organisation (where relevant) | PILCHER HOMES LTD | |
| Representing (if applicable) | | |
| Address - line 1 | TOWER HOUSE | |
| Address - line 2 | ASKHAM FIELDS LANE | |
| Address - line 3 | ASKHAM BRYAN | |
| Address - line 4 | YORK | |
| Address - line 5 | N. YORKS. | |
| Postcode | YO23 3NU | |
| E-mail Address | robert@pilchergroup.com | |
| Telephone Number | 01904 700233 | |

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

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.

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)

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Ref.

Site Ref.

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Paragraph 182 analysis.
see attached.

Comment on evidence base specifically in regard to:

Soundness

Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Inspector conducting the Examination in Public has to be satisfied that the Local Plan is 'sound' –namely that it is:

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

The York Draft Plan has not been positively prepared. It has been negatively prepared to provide as few houses as they dared and to build those houses as far away from the electorate as possible to maintain the existing councillors' seats. The Local Plan working group was divided in the submission meeting and disregarded the recommendations made to the committee by City of York planning department and their professional advisers. At the moment the draft plan is inadequate for the number of dwellings required per annum and throughout the plan period. It does not account for market signals and nor does it comply with the national method for calculating OAHN. More detailed information on this has been submitted by Pilcher Homes with a the Regeneris Full OAN report attached.

The York Plan makes no effort to provide for the neighbouring authorities. In contrast the absence of a York plan since 1954 means that this city has always negatively impacted neighbouring authorities and still seeks for those authorities to provide its housing because it is politically unwilling to provide adequate housing figures.

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

The most appropriate strategy compliant with paragraph 37 NPPF would be to build the correct number of houses on the land that is inside the ring road and close to existing amenities. There are more suitable sites (sustainable, deliverable and viable) and performing well against para 112, which are close to existing amenities and capable of providing homes (such as site 191). The evidence base shows that there are areas which do not need to be kept permanently open

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

Additionally the deliverability is also a major cause for concern. The draft plan is dependent on too few very large new settlements which would have a long time frame for delivery and are less sustainable than many of the smaller sites within the York ring road.

It is therefore safe to say that the current draft plan would not be 'effective' as described in para 182. This is because it cannot be delivered over the period outlined up to 2032. This is partly due to the uncertainty on the availability of the MOD land within the plan period and also due to the huge infrastructure requirements for sites ST14, ST15 and ST5. The undersupply since 2012 should be dealt with early in the new plan period to alleviate the proven market pressure explained by G I. Hearn in SHMA update 2017 .

The York Local Plan needs to find a greater number of small and medium sized deliverable sites (such as site 191) which can address the long term undersupply (2007-2017 575 dpa average), and the immediate lack of a 5 year supply.

It is also clear that a very low percentage of the strategic housing land could be built by local SME developers and housebuilders because the sites are very large and controlled by PLCs. The small number of developers puts the deliverability in the hands of too few organisations. If there are mergers and acquisitions then it may not be desirable for the sites to compete with one another so the developers would not slowly drift them out well below the required dpa. The City of York council should look to add a greater variety of sites with the emphasis on sustainability and deliverability.

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

Please see the other submissions that show the plan not to be compliant with paragraphs 17, 37, 85, 112, and others of the NPPF.

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Increase the OAN. Change the sites selected to the most sustainable sites.

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Signature



Date

4.4.2018

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|-------------------------------|-------------------------|------------------------------------|
| Title | MR. | |
| First Name | ROBERT | |
| Last Name | PILCHER | |
| Organisation (where relevant) | PILCHER HOMES LTD | |
| Representing (if applicable) | | |
| Address - line 1 | TOWER HOUSE | |
| Address - line 2 | ASKHAM FIELDS LANE | |
| Address - line 3 | ASKHAM BRYAN | |
| Address - line 4 | YORK | |
| Address - line 5 | N. YORKS | |
| Postcode | YO23 3NU | |
| E-mail Address | robert@pilchergroup.com | |
| Telephone Number | 01904 700233 | |

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



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Paragraph
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Ref.

Site Ref.

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

Please see attached submission on draft
green belt policy and defining their boundaries
in the Local Plan.

Dear Sir or Madam,

York Local Plan: Publication Draft (Regulation 19 Consultation)

This is part of the representation made by Pilcher Homes to the City of York. Pilcher Homes is York's oldest surviving house building firm. It is a small family business that has in the past built c. 2000 houses in York. It currently has one active site in York for 9 units (site H12) but seeks the inclusion of site 191 Huntington North where the land has been owned and promoted since 1980 and site H28 Land north of North Lane, Wheldrake, where it has a minority land ownership enclosed by the land optioned and promoted by Linden Homes.

Representation part 3 on: Paragraph 83 NPPF

The City of York Council aspires to create a local plan that was deemed sound. To do so the draft plan has to comply with the NPPF. Paragraphs 83 to 85 are particularly pertinent to the draft plan because York is so constrained by the green belt policies. It is clear that the draft green belt that has been enforced by the 2005 development plan has included as much land as possible to restrict development in York. The draft plan uses the same 1991 boundaries and only excludes the minimum amount of land required to provide for the lowest OAN presentable (against their professional advice). However, the boundaries should aspire to take the following in to account;

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

It is clear that the boundaries proposed in the draft plan are not capable of enduring beyond the plan period because they continue to constrain York's housing supply and economic growth. They need to be revised now to account for the market signals figure which must be added to the OAN. Furthermore with the DCLG standard methodology requiring 1,070 dpq it is clear that another round of site selection shall have to be undertaken. Which leads on to;

84. 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.

85. When defining boundaries, local planning authorities should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;

The aim of the above policies is for the local plan policy and site selection to seek sustainable sites as close to the core of the settlement as possible. These should be within the inner green belt boundary. At this stage the City of York should now be allocating its safeguarded land from the 1990s in to the new local plan. However, it has always deemed its inner boundary to immediately abut the built environment at the start of the RSS period and it made no provision

for safe guarded land. The draft plan is not consistent with the sustainable development objective. It has instead proposed a series of unsustainable new settlements that create new dormitory settlements that will be accessed by car. New bus services would have to be created. This is in direct contrast to the many small and medium sites which could be allocated where existing services can be boosted with new demand. Land north of Avon Drive, (site 191) is one such example where a signed section 106 is in place to improve the existing four bus stops down Strensall Road. A medium site like this would accord with the desire to only release green belt land as part of the local plan process, to address OAN, and in accordance with the below objectives;

- 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.

CYC has not created safeguarded land in this draft plan. It has not planned for its green belt to endure well beyond the plan period. The plan period is 5 years shorter than the proposed green belt boundary period so it cannot endure to even the end of that latter period without restricting the supply of housing again. The boundaries would be under pressure by 2032/3 at the end of the plan period 5 years prior to the green belt review period. The lack of safe guarded land would mean that no development land between the urban edge and inner green belt boundary could come forward without a revision of the local plan. CYC has not used obvious features such as the ring road to create safeguarded land or an inner green belt boundary. There are many areas such as Huntington North (site 191) where the ring road would provide a recognisable and likely to be permanent boundary.

At the planning meeting Thursday 22nd October 2015 Councillor Ann Reid described site 191 as 'inevitable for residential development'. Therefore it is easy to conclude that it is not a matter of 'if' but 'when'. York is an authority that has not considered the Green Belt boundary with regard to their permanence in the long term, so that they should be capable of enduring beyond the plan period. It is patently obvious that the land at Huntington North would as the Secretary of State wrote 'deliver a more successful urban edge than which presently exists and that the proposed landscape mound has the potential to more effectively screen views towards existing and proposed housing within a relatively short period'. It has also been assessed by the Secretary of State that 'the proposed development would not harm the landscape character and setting of York.' (APP/C2741/W16/3149489).

I have also attached the document used by City of York to exclude site 191. Also the document from CYC Highways disproving the grounds for exclusion.

Additionally I have included an extract from the Safeguarded Land doc (proposed) which looked to remove the land site ref 810, surrounding site 191 on the basis that; it doesn't serve the purposes of greenbelt or have primary constraints or flood risk.

Recommended modification:

The site selection process should be re-run with a focus on sustainable, deliverable, and viable sites. The site known as Huntington North should be included in the revised draft Local Plan sites because it complies with criteria 1, 2, 3 & 4 and technical officer assessment for transport (CYC officer's report page 162 para 3.4), geo-environmental, historic environment, landscape and design.

Recommended modification:

The Green belt boundaries should be set using physical features that are readily recognisable and likely to be permanent and should allow for safe guarded land so that development land can be brought forward during the plan period without the full local plan review. Pilcher Homes supports the IIBF proposed change to policy SS2.

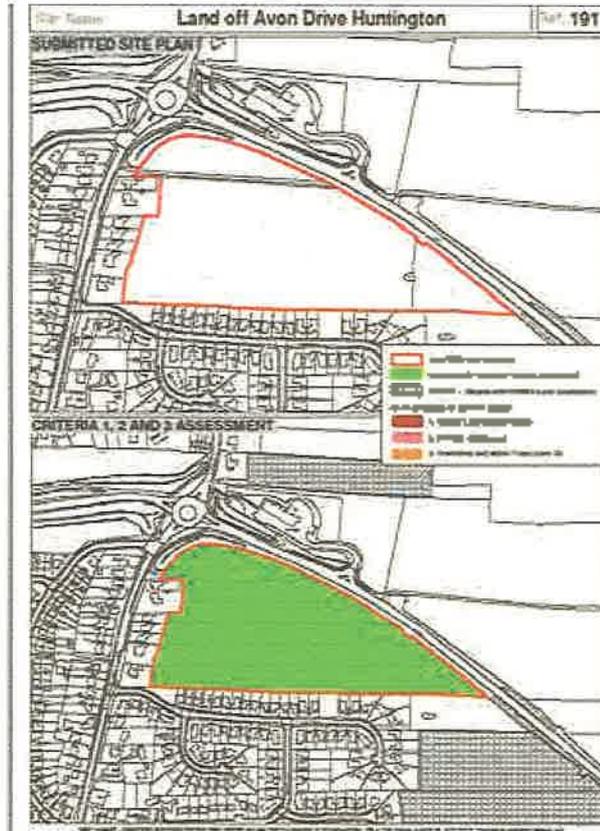
Criteria 1 to 4 Analysis

Site: 191

Land off Avon Drive Huntington

Source:
Previously
Rejected Site

Submitted For: Housing



Submitted Size 4.697831284 Ha

Single reason for refusal at appeal was 'green belt'. Officer stated in appeal that he would otherwise recommend approval.

Technical Analysis

Evidence/Mitigating Factors

Criteria 1 - Primary Constraints

| | |
|--------------------------|-------------|
| Flood Zone 3b: | No |
| Historic Character: | No |
| Ancient Woodland: | No |
| Regional GI Corridor : | No |
| National Conservation: | No |
| SINC: | No |
| Local Nature Conservatio | No |
| Site Size Remaining: | 4.697831284 |

| | |
|---------------------|-----|
| Floodrisk Evidence: | Yes |
| Landscape Evidence: | N/A |
| Habitat Evidence: | Yes |

Pass

Criteria 2 - Openspace

| | |
|----------------------|-------------|
| Openspace: | Adj |
| Site Size remaining: | 4.697831284 |

| | |
|---------------------|-----|
| Openspace Evidence: | N/A |
|---------------------|-----|

Pass

Criteria 3 - Greenfield 3A

| | |
|------------------------|-------------|
| Greenfield/Brownfield: | Greenfield |
| Greenfield Within 3a: | No |
| Site Size Remaining: | 4.697831284 |

| | |
|---------------------|-----|
| Floodrisk Evidence: | Yes |
|---------------------|-----|

Pass

Criteria 4 - Residential Access to Services

Stage 1 Pass

Pass

Pass Criteria 1234 - Move to Technical Officer Comments Stage

Technical Officer Assessment

Land off Avon Drive, Huntington

NOT TRUE
SEE ATTACHED
YORK MAP.

Site: 191

Submitted For: Housing

TRANSPORT

As significant land is required for the dualling and grade separation of the ring road, and the widening of the roundabout, a significant part of the land may need to be taken which would undermine the viability of the remaining site area. In addition further land would be required to buffer the revised road layout which would compromise the site further. There may be constraints regarding the Yorkshire Water pipeline and large pipe implications.

Red

GEO-ENVIRONMENTAL CONSIDERATIONS

see briefing note

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 including electric vehicle recharge infrastructure. As the site adjoins the outer ring road, careful consideration will need to be given to the site design to ensure that residential uses are set back from the carriageway. Orientation of habitable rooms, away from the carriageway facade, may also need to be considered.

Amber

Noise: Not the most desirable location for residential development. Existing hedges/trees do not provide adequate buffering for noise. A larger buffer would be required to minimise new receptors to traffic noise from the A1237. Also, there is a potential for conflict between housing and use of adjoining farm land. To South East there is a sewage treatment works with potential for odour.

Amber

Flood Risk: Site is greenfield therefore runoff rates must comply with the 1.4 l/sec/ha. Foul and surface water drainage in Avon Drive

Green

Ecology: Development would impact on the land to the east and to the SINC site at Huntington. May be issues with ecological linkages to the site as its logical that the SINC site will automatically become a recreational space and this could have detrimental effects on the SINC site. Habitat survey and potentially Great Crested Newts survey needed. See application docs.

Amber

HISTORIC ENVIRONMENT, LANDSCAPE AND DESIGN

Heritage/ Archaeology: An archaeological desk based assessment and evaluation will be required to identify archaeological features and deposits.

Green

Landscape/ Design: Development will affect the openness of the ring road and the character of the site bringing development right up the ring road. The site is not considered large enough to create the buffer required to retain the open setting and prevent coalescence with the ring-road.

Amber

Open Space/ Recreation: Like the idea of a nature trail but would like bigger buffer to the ring road. No significant objections.

Green

CONCLUSIONS

Summary: As significant land is required for the dualling and grade separation of the ring road, and the widening of the roundabout, a significant part of the land may need to be taken which would undermine the viability of the remaining site area. In addition further land would be required to buffer the revised road layout which would compromise the site further. There may be constraints regarding the Yorkshire Water pipeline and large pipe implications. There are also concerns regarding coalescence with the ring road and landscape setting and also potential impacts on the adjacent SINC.

Red

Briefing document on: Huntington North (Land north of Avon Drive) (site 191), York

- Planning application 16/01073/OUTM for 67 homes was heard on 24.10.2016 and refused solely on green belt policy. All technical matters were approved.
- Planning application for 109 homes including 33 affordable homes on this land was refused 22.10.2015 at committee by 8 votes to 6, 15/00798/OUTM. All technical matters were approved. There was a full public appeal. The appeal was dismissed solely on the grounds of green belt. The secretary of state wrote that the site would (255):

'deliver a more successful urban edge than which presently exists and that the proposed landscape mound has the potential to more effectively screen views towards existing and proposed housing within a relatively short period'. It has also been assessed by the Secretary of State that (257) 'the proposed development would not harm the landscape character and setting of York.' (APP/C2741/W16/3149489).

- The local authority has not included this site on the list of allocated sites in the draft plan despite there being no technical or economic constraints. It is not even on Appendix 1.
- CYC had suggested that the ring road upgrade would 'prohibit any viable development on this land'. However, we now have an agreed map from highways showing only a tiny amount of land required for the dual carriageway and roundabout improvements. Any further future upgrades to the ring road would be limited by the existing raw water pipeline that runs across the northern edge of this land (see plan). The local authority cannot claim that greater land south of the pipeline would ever be required.
- The site complies with all other policy requirements for sustainability, transport, archaeology, ecology, affordable provision, and has been dealt with by all CYC departments. There is even a signed section 106 agreement in place with agreed planning conditions, which were both required prior to the appeal.
- This land was described by Cllr Reid, as 'inevitable' for housing. Therefore it is easy to conclude that it is not a matter of 'if' but 'when'. This is relevant to paragraph 83 of the NPPF which states that 'authorities should consider the Green Belt boundaries having regard to their permanence in the long term, so that they should be capable of enduring beyond the plan period.'
- In conclusion the smaller area of land now known as Huntington North should be included in the York Local Plan. It complies with criteria 1, 2, 3 & 4 and technical officer assessment for transport (CYC officer's report page 162 para 3.4), geo-environmental, historic environment, landscape and design.
- This medium sized site is viable, deliverable, sustainable, and is the only land being promoted by York's oldest house builder. Unlike the national PLCs we have no other land coming through this plan and we aren't land banking. We want to deliver good quality homes after 38 years of trying to build this site out.

Briefing document on: Huntington North (Land north of Avon Drive) (site 191), York

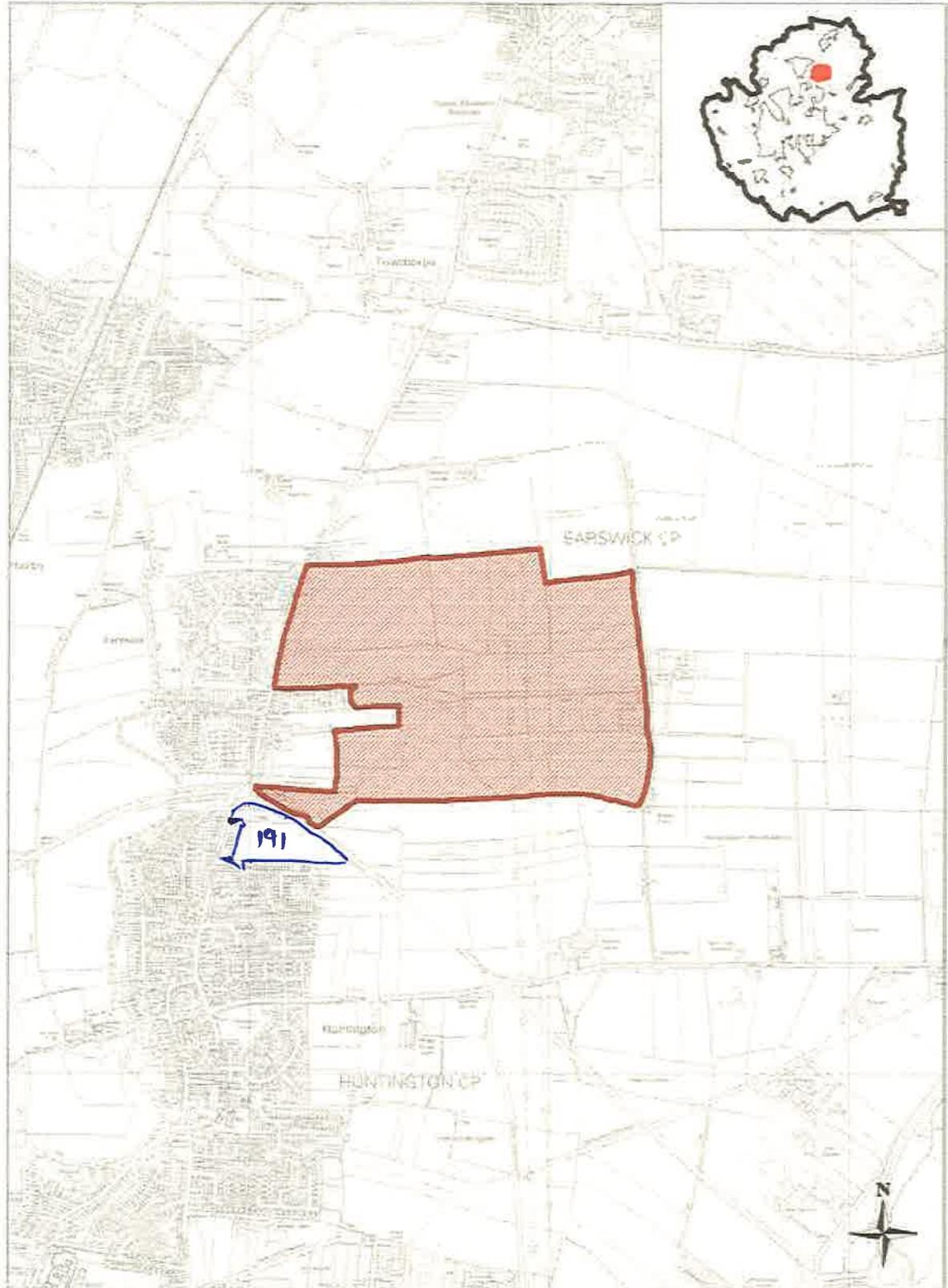


Briefing document on: Huntington North (Land north of Avon Drive) (site 191), York



Site ref: 810
Allocation Ref: N/A

Site Name:
Earswick



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Site size: 88ha

| | |
|---------------------------------|---|
| <p>Officer Comments:</p> | <p>Part of this area of land to the east of Earswick came forward through the 'call for sites' process in 2012 and a revised site boundary was put forward through the Local Plan Preferred Options Consultation. The site presents an opportunity to consider the longer term size and shape of Earswick and the possibility of enhancing/reinforcing service provision in the village.</p> <p>The site is not within any of the areas of primary constraints which are designed to; protect the districts heritage and environmental assets, and ensure flood risk is properly managed. The site does not fulfil the five purposes for including land in the green belt. Currently the site does not meet the requirements set in the site selection methodology to ensure sustainable access to services such as schools, shops and health facilities. It may be that over time these matters can be addressed and the site could be considered as an allocation for years 1-15 of the Plan if concerns over access and the creation of a sustainable neighbourhood can be addressed adequately. In these circumstances the most appropriate designation for the site is that of safeguarded land.</p> <p>The western boundary of the site is Strensall Road and the rear of current development that fronts onto Strensall Road. The southern boundary field boundaries, some with hedgerows. The eastern boundary is a tree lined lane, the northern boundary is formed by field boundaries.</p> |
| <p>Recommendation:</p> | <p>To include this site as safeguarded land within the Local Plan. This reflects concerns over access and the creation of a sustainable neighbourhood. If these concerns can be overcome part of this land could potentially be considered as an allocation for years 1-15 of the Plan.</p> |

site ref 810

10

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 recommendations on setting greenbelt boundaries using 'likely to be permanent' features.

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

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

Yes, I wish to appear at the examination

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

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

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

Part C - How we will use your Personal Information

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

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

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

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Storing your information and contacting you in the future:

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Retention of information

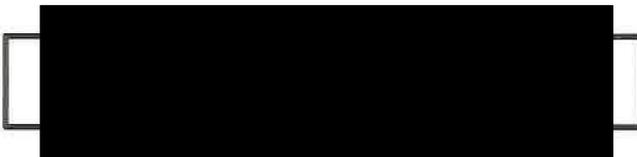
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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904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

Signature



Date

4 . 4 . 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 2018 Consultation response form 21 February – 4 April 2018

| |
|--|
| OFFICE USE ONLY: ID reference: RECEIVED 04 APR 2018 BY: _____ |
|--|

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

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

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

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

Part A - Personal Details

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

| 1. Personal Details | | 2. Agent's Details (if applicable) |
|-------------------------------|-----------------------|------------------------------------|
| Title | MR. | |
| First Name | ROBERT | |
| Last Name | PILCHER | |
| Organisation (where relevant) | PILCHER HOMES LTD | |
| Representing (if applicable) | | |
| Address - line 1 | TOWER HOUSE | |
| Address - line 2 | ASKHAM FIELDS LANE | |
| Address - line 3 | ASKHAM BRYAN | |
| Address - line 4 | YORK | |
| Address - line 5 | N. YORKS. | |
| Postcode | YO23 3NU | |
| E-mail Address | robert@pkhargroup.com | |
| Telephone Number | 01904 700233 | |

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

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.

What makes a Local Plan "sound"?

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

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

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

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

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

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

Yes

No

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

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

Positively prepared

Justified

Effective

Consistent with national policy

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

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

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

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

The ~~site~~ local plan document is not sound because it is not positively prepared for OAN. An analysis of the topic is attached. Additionally we have included the FOAN report by Regeneris.

Dear Sir or Madam,

York Local Plan: Publication Draft (Regulation 19 Consultation)

This is part of the representation made by Pilcher Homes to the City of York. Pilcher Homes is York's oldest house building firm, it is a small family business that has in the past built c. 2,000 houses in York. It currently has one active site in York for 9 units (site H12) but seeks the inclusion of site 191 Huntington North where the land has been owned and promoted since 1980 and site H28 Land north of North Lane, Wheldrake, where it has a minority land ownership enclosed by the land optioned and promoted by Linden Homes. (Appendix 1 site).

Representation on OAN:

Background

The planning inspector must first be given clear facts and consistent timeframes. The planning inspectorate needs to have a full understanding of the history of failed plan making in York. It also needs figures to quantify the persistent under delivery over previous decades. We believe that the draft local plan does not adequately log the past events and nor does it seek to address the previous under delivery and back log. Instead it hopes to disregard the past lack of delivery and only address the minimum future requirement. We support the position of the HBE regarding the illogical disparity between the plan period and the green belt adoption timeframe. We would support a unified time period if the York Local Plan had identified the correct objectively assessed housing need, the most sustainable sites by applying the framework's methodology, and if it provided adequate scope and policy to respond to changes during the plan period by identifying adequate safeguarded land and a 20% buffer of deliverable allocated sites. However, the OAN applied to the draft plan of 867 dpa is woefully inadequate. The inspector would be using his time very efficiently if he watched the public videos of the Local Plan Working group meeting. This would enable the inspector for the plan to understand how and why both the OAN figure and the proposed sites came to be.

G L Hearn's advice to York (SHMA)

It must first be restated that CYC has paid for professional advice. G L Hearn's report recommended a figure of 953 dpa (2012-2032 period). The local plan group has disregarded this figure and voted through a political objective that is not compliant with the aims of the NPPF, and the subsequent ministerial statements. The inspector will be immediately aware that the York Local Plan is, and always has been, politically constrained. Therefore when, or if, it is finally decided to employ independent and impartial experts to create the York plan we would call for the appliance of evidence. An evidence based approach to the OAN and site selection process would have provided a much larger number of small and medium sized sites which are more sustainable and a higher OAN.

Paragraph 17 of the NPPF states that 'every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities'.

In assessing their own housing needs the Council must also take into account any shortfall in housing delivery between the time period covered by their housing need evidence and the plan period. The Council should, therefore, reconsider its position with regard to the overall level of housing provision, which does not reflect market signals and affordability, and is not considered to be in the spirit of positive planning and the NPPF objective to significantly boost the supply of housing.

DCLG method of calculation

DCLG's consultation paper 'Planning for the right homes in the right places' sets out a proposed standard methodology for calculating the housing need. DCLG has used this methodology to calculate a baseline housing need figure for York of 1,070. The consultation paper states that there should be

very limited grounds for adopting an alternative method which results in a lower need than the proposed standard approach. The reasons for doing so will be tested rigorously by the Planning Inspector through examination of the plan.

The draft NPPF also states that *'in determining the minimum number of homes needed, strategic plans should be based upon a local housing need assessment, conducted using the standard method in national planning guidance – unless there are exceptional circumstances that justify an alternative approach which also reflects current and future demographic trends and market signals'*. There are no special circumstances proffered to justify an alternative approach for York.

Other reports analysing York's OAN

The reports submitted by other parties also come up with similar numbers to the DCIG. The inspector will no doubt want to inspect these reports and analyse their variations before deciding on the OAN and the level of market signals variation required in the light of the most up to date market and affordability data. Pilcher Homes has attached the Regeneris report which recommends a figure of 1,020 dpa (section 6.9 on page 39 of the attached report). However, it must be stressed that the recommendation would be for 1,320 dpa if the market signals required a 25% adjustment. The inspector may well consider that due to York's house prices being 57% higher than the regional average that such a variation is appropriate. We suggest that G L Hearn recommended the figure of only 10% market signals uplift because it was the lowest adjustment that it considered CYC may accept at committee and not a figure to fully bring affordability in York back in line with the region or back to its historic affordability ratios.

Update on the Regeneris report:

We are aware that the Regeneris report is now 18 months old. Although it is far more up to date than much of CYC's evidence base we address below the potential impact of more recent data and the NPPF consultation document 2018 (NPPF: 2018). The consultation document is not yet adopted policy but it may be so by the time the York Local Plan is examined in public. By then the examiner may choose to give the changes significant weight.

The author of the attached Regeneris FOAN paper considers that;

- 1. The new proposals are very largely consistent with the September 17 proposals. If I were sat in on EIP, I would certainly point to the government's apparent commitment to this method (household projections 10 yr av. + market signals uplift) as the source of the minimum OAN figure that should be considered.*
- 2. The consultation draft PPG also makes clear that the intention is that this method is the one to be used for local plan reviews which should include revisiting the OAN. This implies that, even if an LPA does not use the new method figures in a recent plan, it will have to have exceptional reasons for not using them as the OAN in reviews.*
- 3. The proposed PPG is also very clear in my view about how Hunston should be applied. No constraints should be factored into the OAN.*

As for my report, the final figure I settled on was not far short of the 1,070 implied by the draft PPG method, and is essentially based on the same two factors: household growth + market signals. In this regard, my approach and my conclusions are defensible, and if I ran the figures again for the approach that I concluded was the right one, there would I think be little difference in the result.

My reservation is that the report was produced in November 2016 and I have not revisited the numbers since then. I know that affordability ratios in York have crept up further since 2016, and this will be fuelled by price rises still exceeding wage growth. But the Council and Inspector might point to the evidence being 1.5 years old. RICARDO GOMEZ, Director, Regeneris

Our conclusion from this evidence is that if anything the Regeneris figure would get closer to the DCLG figure of 1,070 due to the recent worsening affordability ratios. Therefore we would suggest to CYC and the inspector that the OAN for York should be at least 1,070 dpa but that the plan policy should also factor in a fast or automatic mechanism to permit development on safeguarded land in the event of under delivery.

Windfall land as part of OAN

Pilcher Homes contests that the CYC definition of windfall cannot vary from that of the NPPF. Windfall sites must not be factored in to the housing allocation figures. The housing supply makes an allowance for windfall sites of 169 dwellings per annum from year 4. This is evidenced by the Windfall Technical Paper. This authority has a long track record of undersupply and poor affordability and so has worked out the windfall and infill sites over the past decades more than most local authorities. Therefore York is unlikely to deliver windfall sites at the same rate as previously delivered between 1990 and 2018. This makes the inclusion of windfall sites even less acceptable as a form of housing allocation. Paragraph 48 would require York to 'provide compelling evidence' that such sites will continue to provide a reliable source of supply. The SHLAA makes it clear that York is not such an authority. It can be proved that York has had a lot of infill development and redevelopment of pub sites (and similar) in recent years. There are no longer these opportunities left to develop and those few redevelopment sites left would be staunchly defended as community assets (ACV, article 4, para 28 etc...) now that the least viable properties have been redeveloped. Garden grabbing is now also a local bug bear that para 48 also seeks to prevent. Past performance on windfall sites is no guarantee for future supply of small and medium sites. Pilcher Homes agrees with the IIBF where it advises that:

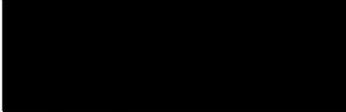
- *That sites are allocated to provide for at least the CIG methodology housing requirement, with an additional buffer of at least 20%, to support delivery and provide choice and flexibility.*
- *That the Council engages with the relevant landowner, promoter or developer to ensure that the potential capacities identified are appropriate and to ensure that the proposed allocations are deliverable within the plan period.*
- *That further sites are allocated to meet the needs identified, rather than relying on windfall development.*

Furthermore, once the inspector has settled on the OAN for York the imperative falls on the deliverability and sustainability of the sites. There are sites which are not in the draft allocation, nor Appendix 1, such as Huntington North (site 191) which has been dismissed on political grounds despite being sustainable, immediately deliverable, and viable. Other parts of our submission will address the draft plan in the light of NPPF paragraph 112, the green belt policy SS2 in analysis against paragraphs 83-85.

Recommended modifications:

The OAN adopted should be at least 1,070 dpa and the site selection process should be re-run with a focus on sustainable, deliverable, and viable sites. The site known as Huntington North should be included in the revised draft Local Plan sites because it complies with criteria 1, 2, 3 & 4 and technical officer assessment for transport (CYC officer's report page 162 para 3.4), geo-environmental, historic environment, landscape and design.

Yours,


Thomas Pilcher,
Pilcher Homes


Robert Pilcher,
Pilcher Homes

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.

The OAN adopted should be at least 1,070 dpa and the site selection process should be re-run with a focus on sustainable, deliverable and viable sites. The Inspector should look at the shlaa 2014 and assess which sites were removed on political and not technical grounds. (such as site 191 removed due to alleged highway extension requirements).

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

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

Yes, I wish to appear at the examination

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

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

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Signature



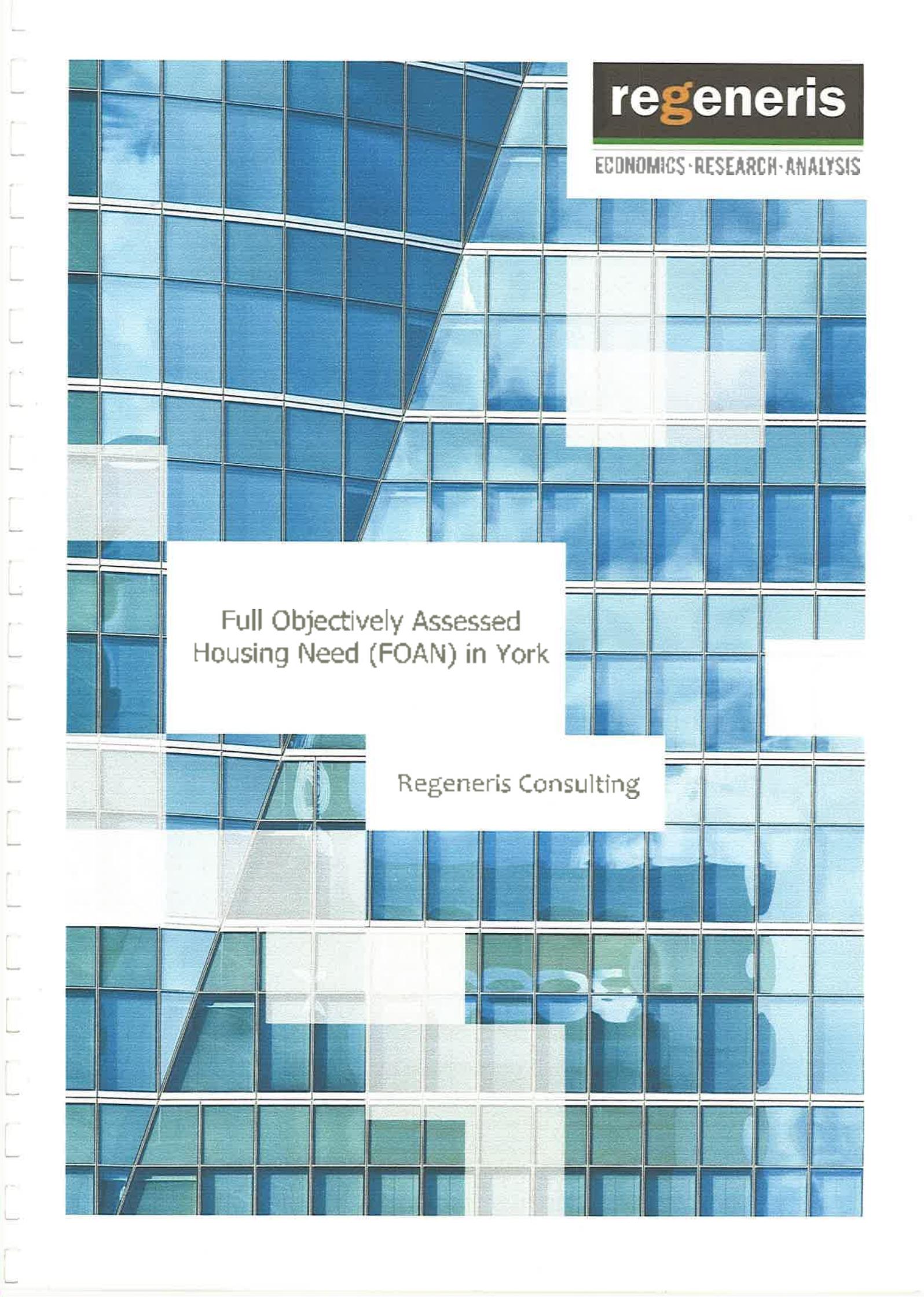
Date

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



regeneris

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Full Objectively Assessed
Housing Need (FOAN) in York

Regeneris Consulting

The Pilcher Group

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4 November 2016

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1. Introduction

1.1 Regeneris Consulting has been commissioned by The Pilcher Group to provide a critical assessment of the City of York Council's evidence on objectively assessed housing need. This evidence centres on the Council's Strategic Housing Market Assessment prepared by GL Hearn and published in June 2016. This document recommends that the full, objectively assessed housing need (FOAN) for York is 841 dwellings per annum (dpa) over the period between 2012 and 2032.

1.2 The report is structured as follows:

- A brief overview of the purpose and methodology for housing need assessment specified in the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
- A critical review of the Council's FOAN evidence.
- The outcome of assessment of York's FOAN carried out by Regeneris.
- Conclusions on the FOAN.

1.3 This report will be submitted as part of the appellant's planning policy evidence to the forthcoming Section 78 appeal relating to refusal of The Pilcher Group's application for planning consent for development of new homes on Land North of Avon Drive, Huntington, York (PINS Ref: APP/C2471/W/31/3149489; LPA Ref: 15/00798/OUTM)

2. Approach to Housing Need Assessment

2.1 The relevant policy framework for assessing housing need is clearly set out in the National Planning Policy Framework issued in March 2012 (CD 1.1). This is supported by National Planning Policy Guidance (PPG) published in March 2014, which sets out a series of steps on how to objectively assess future housing need (CD 1.2).

NPPF

2.2 The National Planning Policy Framework sets out an explicit and unambiguous target to 'boost significantly the supply of housing' (para 47). The 27 March 2012 NPPF launch speech from Greg Clark stated 'This National Planning Policy Framework will help build the homes the next generation needs'.

2.3 The primacy of the housing delivery target is rooted in underpinning government analysis released prior to the launch of NPPF. The government's November 2011 Laying the Foundations : A Housing Strategy for England states:

- "...for decades in Britain we have under-built. By the time we came to office, house building rates had reached lows not seen in peace-time since the 1920s". Foreword from David Cameron and Nick Clegg.
- "The problems we face are stark – we have not built enough new homes for more than a generation" [Para 5, Executive Summary].¹

2.4 The NPPF is clear on the importance of Local Planning Authorities (LPAs) ensuring they have properly assessed housing need. In paragraph 47 it says 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...'

2.5 Para 50 states that '...to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. Local planning authorities should...plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community...'

¹ DCLG (2011) Laying the Foundations. a housing strategy for England, <https://www.gov.uk/government/publications/laying-the-foundations-a-housing-strategy-for-england--2>

- 2.6 Paragraph 158 of the Framework requires that LPAs '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'.
- 2.7 There is further clarity on what should be involved in the process of assessing housing needs in paragraph 159, under the Plan Making heading. The NPPF states that LPAs should 'prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:
- meets household and population projections, taking account of migration and demographic change;
 - addresses the need for all types of housing, including affordable housing and the needs of different groups in the community;
 - and caters for housing demand and the scale of housing supply necessary to meet this demand'.

National Planning Practice Guidance

- 2.8 The Government published National Planning Practice Guidance in March 2014. The PPG provides more clarity on the process for measuring objectively assessed housing need, and identifies **three broad steps** that should be included:
- 2.9 **First, the guidance makes it clear that the latest Government household projections are the starting point for identifying housing need, but they may require adjustment by plan makers. Specifically the guidance says:**

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. They do not attempt to predict the impact that future government policies, changing economic circumstances or other factors might have on demographic behaviour'

(para. 15 of the section on Methodology : Assessing Housing Needs).

And

- *'Future jobs belongs above the line, because jobs impact on the demand for housing (many people want to live near their workplaces or new job opportunities), independent of any policy considerations'* (Excerpt in my Appendix D, para 4.5)

2.13 There are now numerous instances of appeal decisions wrestling with issues of economic growth rates. It is clear that the economic adjustment is an issue for both plan making and decision taking.

2.14 Third, affordability issues and market signals are recognised in the PPG as factors which should be considered in establishing housing requirements. The guidance sets out a series of indicators on prices, (land, house purchases, rent), affordability, overcrowding and development rates (para. 19). It recommends (para. 20) analysis of these trends and comparison with other areas. It then states (para. 20) that:

'A worsening trend in any of these indicators will require upward 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 ratios) 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' (para. 20).

York's Housing Market Area

2.15 NPPF paragraph 47 states that 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..'*

2.16 The Council's June 2016 SHMA (CD 2.16) takes a pragmatic view and bases all analysis on York district as the most appropriate market area to use for OAN analysis. Its analysis of the key migration and travel to work data shows that on both indicators York has a high level of self-containment. Essentially, a high proportion of residents of York work in the city, while a similarly high proportion of household moves (in 2011) also occurred within the city.

2.17 The SHMA provides details of its analysis of Census migration data (moves into and out of York) at para. 2.65 to 2.80. The 2011 Census remains the best source of data on moves which include those within a local authority. Paragraph: 011 (Reference ID: 2a-011-20140306) of the PPG specifies that long-distance moves should be excluded from the assessment of self-containment. The PPG goes on to specify that an HMA is an area in which 70% or more of household moves are contained. The

exclusion of long-distance moves is intended to enable typical household moves in an area to be captured rather than those which relate to a lifestyle move or retirement moves.

- 2.18 The 2011 Census data confirm the high level of self-containment exhibited by the city of York. In the year prior to the Census, moves 'into' York accounted for 82% of all moves which originated either in the city (ie residents moving) or moves from Teesside, surrounding local authority areas, Teesside or County Durham.
- 2.19 On the travel to work data, the SHMA recognises that York also has a high level of self-containment (CD 2.16 para 2.90). Census 2011 data confirm that the SHMA's estimate of 75% is broadly accurate. As the SHMA acknowledges, the Office for National Statistics' definition of a travel to work area is one in which 75% of the area's resident workforce work in the area and at least 75% of the people who work in the area also live in the area in most instances.
- 2.20 Despite these high levels of self-containment for York in its own right, the SHMA also points to the migration data showing that, on this indicator, York and Selby together pass the 70% threshold (CD 2.16, para. 2.72). It is not clear what the SHMA concludes on the travel to work indicator for Selby and York combined. The migration data therefore appear to lead to its conclusion that Selby and York should be considered an HMA (CD 2.16 para. 2.100).
- 2.21 However, the conclusions also accept that, since Selby has produced its own SHMA, GL Hearn has not assessed housing need across a Selby-York HMA but instead has done so for York (CD 2.16, para. 2.106). This is a reasonable approach to take. It is consistent with the Planning Advisory Service's guidance on OAN which states that 'HMA definitions involve judgment, including pragmatic judgments about what area is manageable in practice (Excerpt in my Appendix D, para. 5.24).

Timescale for OAN

- 2.22 The PPG states that the data in the latest government population and household projections, which are currently the 2014-based projections, should be used as the starting data in establishing the OAN.
- 2.23 There is no official guidance on precisely what start date to use for FOAN analysis. The June 2016 SHMA uses a start date of 2012 and an end date of 2032. This is also a reasonable approach to take and one which is used for the assessment of York's OAN in this report.
- 2.24 The choice of OAN start date has no bearing on the period over which past delivery rates are judged for the purposes of assessing an appropriate buffer. Past delivery rates should be examined over

an extended period prior to 2012 and taken into account when choosing the appropriate buffer to be used in the 5-year land supply calculation.

3. The Council's FOAN Evidence

- 3.1 As noted earlier, York Council is using a housing requirement of 841 dpa between 2012 to 2032 in its City of York Local Plan Preferred Site Consultation document. The 841 dpa number is derived from the June 2016 SHMA prepared by GL Hearn [CD 2.16].
- 3.2 The SHMA adheres to PPG in that it follows the three-step process of using 1. A demographic starting point and then exploring the need for 2. An economic adjustment and 3. A market signals adjustment.
- 3.3 The main building blocks in the GL Hearn approach are:
- They start with 2012-based household projections (783 dpa) and update them to reflect the 2013 and 2014 mid-year population estimates to arrive at a demographic starting point of 833 dpa.
 - They make no adjustment for economic factors.
 - They make a extremely modest 1% uplift for market signals uplift (just 8 dpa). This is based on GL Hearn modelling a slight recovery in the household formation rates of 25-34 year olds in York. This is added to the 833 preferred demographic scenario to give an OAN of 841 dpa.

My Review of the SHMA and SHMA Addendum

Starting Point

- 3.4 The York SHMA concludes that the housing need implied by projected population change in York is 833 dpa. GL Hearn tests a number of different population growth scenarios in the SHMA, and arrives at a preferred scenario which gives rise to the 833 dpa figure. Its preferred scenario is the outcome of a modelling process in which the 2012-based SNPP and household projections are used in combination with ONS mid year population estimates from 2013 and 2014 to account for population change that has occurred since 2012.
- 3.5 In a separate appendix to the SHMA, GL Hearn has reviewed the more recent, 2014-based sub-national population projections. At the time of the SHMA's publication the 2014-based DCLG household projections, which essentially translate the 2014 SNPP into households, were not available. They were published in June 2016. However, GL Hearn's conclusion is that there is 'not likely' to be a need to move away from the analysis in the SHMA, in other words, from the 833 dpa figure (SHMA Addendum, para. 1.36).

- 3.6 Drawing on the SHMA and the ONS/DCLG projections, the table below shows how the SHMA's preferred scenario compares with the core projections from SNPP and the DCLG projections.

Table 3.1 Comparison of SHMA Preferred OAN and Government Projections

| | Pop. 2012 | Pop. 2032 | Change 2012-32 | Households 2012 | Households 2032 | Change 2012-32 | DPA |
|------------------------|-----------|-----------|----------------|-----------------|-----------------|----------------|-----|
| SNPP 2012/DCLG 2012 | 200,018 | 224,498 | 24,480 | 84,244 | 99,338 | 15,094 | 783 |
| SHMA 2012 As Updated | 200,018 | 227,340 | 27,322 | 84,244 | 100,300 | 16,056 | 833 |
| SHMA 10 Year Migration | 200,018 | 222,123 | 22,105 | 84,244 | 97,701 | 13,457 | 698 |
| SNPP 2014/DCLG 2014 | 200,018 | 231,374 | 31,356 | 84,271 | 101,389 | 17,118 | 889 |
| 10 Year Migration | 200,018 | 222,123 | 22,105 | 84,244 | 97,071 | 13,457 | 698 |

Sources: SHMA Addendum Tables 1, 2, 3 and 4; ONS 2014-based sub-national population projections and DCLG 2014-based household projections. Note that the 2014 DCLG projections suggest a slightly different number of households to the earlier figures used by the SHMA, although the difference is very marginal (0.03% higher).

- 3.7 The SHMA Addendum sets out GL Hearn's justification for concluding that the 2014-based government projections do not point to a need for its preferred starting point figure of 833 dpa to be updated. This rests on two main arguments about the evidence:

- York's student population may be leading to an over-estimate of the 20-44 population in the SNPP 2014, and the latest projection should not be relied upon.
- That the preferred scenario of 841 is further justified by the SHMA Addendum's modelling of a 10 year migration scenario. It concludes that its preferred OAN figure 'sits comfortably' within the range of scenarios modelled in the SHMA and the Addendum report (CD 2.16 Addendum para. 1.34). This is based on the 10 year migration figure (706 dpa) at the bottom end of the range and 898 dpa at the top of the range, the latter based on SNPP 2014.

Student Population

- 3.8 The difference in population between the SHMA's preferred projection and the 2014 projections centre is primarily driven by the 15-29 year old age group. (CD 2.16, Addendum, para. 1.10 and Table 2). This cohort accounts for 4,200 more people in the 2014 projections.
- 3.9 GL Hearn cites an unpublished response from the ONS to GL Hearn/City of York Council which suggests that caution is needed about the 2014 projections which relates to the way that the ONS's methodology treats people in their early 20s (CD 2.16, Addendum, para. 1.13). The ONS points to the impact of the University of York's new campus (assumed to be Heslington) and suggests that this will be reflected in increased inflows of students in the projections, but that delays in students

re-registering mean that the outflow of people may be under-estimated. The ONS quote indicates that the issue is reflected in the age profile of males aged 25-44 in the projections.

- 3.10 Little explanation or analysis of what the ONS is referring to precisely is given in the SHMA Addendum. The detailed consultation responses in full are not available from the ONS website, and do not appear to have been published. The SHMA states in the Addendum that:

'Growth in the younger age group is likely to reflect the strong growth in the student population which occurred in the City between 2008 and 2014 as a result of a new campus opening. This is expanded on in Chapter 10 of the full SHMA document, but to summarise, the University of York expanded from 13,500 students to 16,700 (+3,500) over the period feeding into the 2014- based projections. Furthermore they have suggested that its prospects for future growth are somewhat weaker than that experienced in the previous decade (CD 2.16, Addendum, para. 1.12).

- 3.11 The point GL Hearn makes is that the ONS 2014 projections are rolling forward an increase in the student aged population that occurred as a result of the University of York's expansion, and that this is a reason for them to be 'treated carefully' (CD 2.16 Addendum para. 1.14) and ultimately to be rejected as the appropriate source of York's OAN.

- 3.12 There are several flaws in this aspect of GL Hearn's evidence. First, the analysis lacks transparency. There is no attempt to estimate how much the SNPP 2014 might be over-estimating the population of younger people, nor to explain how this plays out in the 25-44 male cohort identified by the ONS quote. For example, the SHMA's own preferred scenario assumes that the number of 40-44 year olds in York will be substantially higher (+1,060) than the 2014 projections suggest. It is not clear why this should be the case, nor how this might relate to the methodological issue described in the Addendum.

- 3.13 Second, the SHMA Addendum refers to evidence earlier in the SHMA from the University of York's 2014 Annual Report as an indication that growth in student numbers at the university is likely to weaken (CD 2.16, para. 10.69). However, it makes no comment in the Addendum about the increase of 900 students that the York St John University is aiming to achieve by 2020. Its observation in the SHMA is simply that this appears to be a 'bold ambition' given current higher education funding constraints (CD 2.16, para. 10.71).

- 3.14 Data from the Higher Education Statistics Agency shows that student numbers for both universities actually increased in 2014/15 compared with 2013/14. Using the HESA figures and those given in the SHMA (paras. 10.65 and 10.66) the data show 16,835 students at the University of York compared with 16,469 in 2013/14, and 6,550 at the University of York St. John compared with

6,105 in 2013/14. In total, the increase appears to amount to 811 or a 4% increase. The point here is that the SHMA appears to have discounted the potential for student numbers to increase on the basis only of assertions about the impact of funding constraints and a cautious annual report from the University of York.

- 3.15 Third, projected changes in student age population should be seen in the context of both what the ONS Mid Year Estimates show has happened to York's population and the SNPP Projections. Table 2 of the SHMA Addendum gives only the difference between the projections in the total change over the 2012-32 period for the different age cohorts, not what each projection shows may happen to that cohort from 2012-32.
- 3.16 The table below shows for the 20-24 age group what the ONS population estimates suggest has occurred from 2012-15 and what each of SNPP 2012 and 2014 projects for 2032, along with the SHMA's preferred OAN scenario.² The key point is that the majority of the growth in this age cohort between 2012 and 2032 in each of these scenarios has already occurred by 2015. In the case of both the SHMA's preferred scenario and SNPP 2012, the implied change from 2015-32 sees York's population in this age cohort fall by 883 and 1,016 respectively. In SNPP 2014, the increase of 1,378 would represent 6%, a figure on par with that of the projected increase for England in the national population projections (6%) from 2015-32. The preferred scenario assumes a 4% fall in the cohort.

Table 3.2 Change in 20-24 Cohort

| | 2012 | 2014 | 2015 | 2032 | Change 2012-32 | Change 2015-32 |
|-------------------------|--------|--------|--------|--------|-------------------|-------------------|
| SHMA Preferred Scenario | 20,933 | 22,609 | 23,047 | 22,164 | +1,231 | -883 |
| SNPP 2012 | 20,933 | 22,609 | 23,047 | 22,031 | +1,098 | -1,016 |
| SNPP 2014 | 20,933 | 22,609 | 23,047 | 24,425 | +3,492 | +1,378 |

Source: ONS Sub-national Population Projections.

- 3.17 In the 2014 SNPP, a contraction of the order suggested by the preferred scenario (-883) would be larger than that projected for Selby, Ryedale, Harrogate and Hambleton where the projected fall ranges from -680 (Harrogate) to -190 (Selby). East Riding is projected to see an increase of 130, while Leeds is projected to see an increase of 8,800.

² I use the 20-24 age group as a proxy for the student population because the GL Hearn study provides no figures for the 18-19 year old population in its preferred scenario. It should be noted that the SHMA rightly observes that most 18-19 year old students live in halls of residence, so do not form independent households.

3.18 Seen in the context of these figures, projections which point to an increase over the period to 2032 in younger age groups, linked to the city's student population, do not appear excessive or unreasonable.

10 Year Migration Trend

3.19 The SHMA's modelling of a 10 year migration trend scenario plays a key part in its concluding justification for its preferred starting point figure of 833 dpa. The 10 year migration scenario provides an alternative to the government projections and to the preferred scenario. Both SNPP2012/14 and the preferred scenario are essentially based on short-term 5/6 year population trends in the period before the base year. This provides an alternative view which shows how York's population would change if it followed the trajectory of longer term past population change.

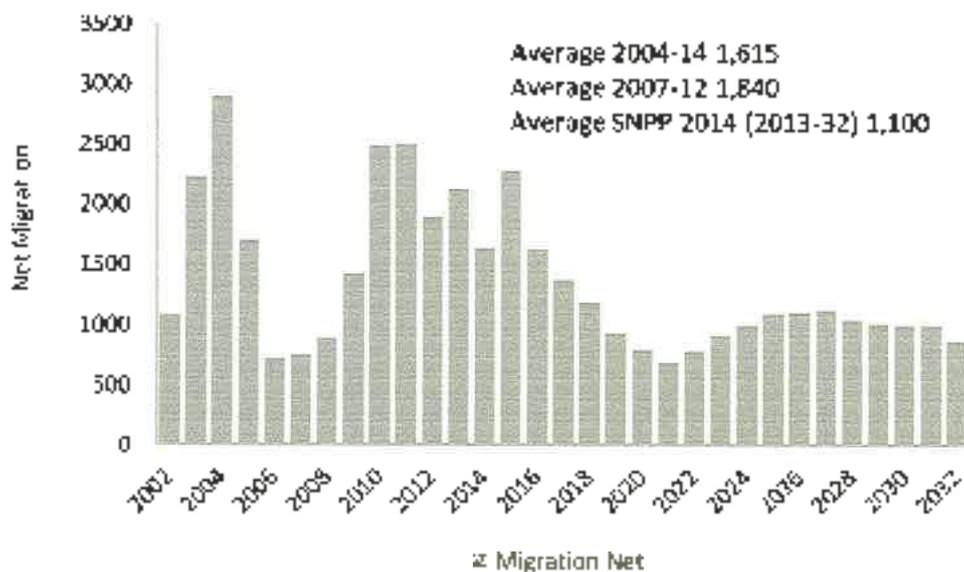
3.20 In the SHMA, a 10 year migration scenario is described as being useful because it helps to 'identify the bottom end of a reasonable range' (CD 2.16, Addendum para. 1.33). Its 10 year migration trend scenario (SHMA Addendum, Table 1) assumes that population growth 2012-32 would be substantially lower (+22,105) than that suggested by the preferred scenario (+27,322) and SNPP 2014 (+31,356).

3.21 It is difficult to establish what method the SHMA has used to produce its 10 year migration scenario. The only explanation is given at para. 4.46. This suggests that it is based on differences in the level of net migration between the reference period for SNPP 2012 (the 5/6 year period to 2012) and the longer term trend from 2004 to 2014. It suggests also that 'migration levels are treated as variable within the modelling and change depending on the age structure (both in the local area and areas from which people might be expected to migrate' (CD 2.16, para. 4.46).

3.22 This lack of transparency about the method is important here. For example, one implication is that GL Hearn has taken account of change in the population of areas from which people might be expected to migrate to York. However, there is no indication as to which areas have been included. Another implication is that the method is based on differences in the level of migration over different periods of time, but there is no explanation of how this has been applied in the modelling.

3.23 The figures below show past net migration, the sum of internal and international migration, compares with projected net migration in SNPP 2014.

Figure 3.1 Comparison of Past and Projected Net Migration



Source: ONS Mid Year Population Estimates Components of Change 2002-14; SNPP 2014

- 3.24 Since it is not possible to determine how the SHMA's 10 year migration has been calculated, it is not clear what assumption it makes about future net migration. However, given that it produces a population projection which is significantly lower than either of the SNPP projections or the preferred scenario, (see Table 5.1 above), it seems very likely that it assumes net migration which is also significantly lower. At best, GL Hcam should provide further detail to explain how its 10 year migration scenario produces a population growth figure that it concludes is at the lowest end of the range in its demographic scenarios.
- 3.25 The past migration data referred to in Figure 3.1 above show that net migration was, on average in both the short and long term periods to 2014, much higher than the SNPP 2014 suggests will be the case to 2032. On the SNPP 2012, the SHMA itself observes that 'when compared with past trends the migration figures look to be very low' (CD 7.16, para. 4.26). It implies that this may be the result of the student population having expanded by on average 700 a year since 2001 (CD 2.16 para. 4.26). However, there is no further evidence to indicate how this has affected the SNPP, nor whether and how the SHMA has accounted for this.
- 3.26 On the face of it, past migration which has been substantially higher than the level suggested by the SNPP might be expected to generate a 10 year migration scenario which reflected this. However, this is not the case in the SHMA. It produces projected population growth which is 20% lower than that of the preferred scenario, and 30% lower than that suggested by SNPP 2014. The

implied housing need figure is 123 dpa (16%) lower than the preferred scenario and 190 dpa lower (21%) than that implied by SNPP 2014.

- 3.27 Since the SHMA uses this low figure to suggest that its preferred demographic scenario of 833 lies in a 'reasonable' range, the method used by the SHMA needs to be explained if its robustness is to be properly tested.

Economic Adjustment

- 3.28 The SHMA's approach to whether any adjustment is necessary to the demographic starting point figure of 833 dpa is unclear. It is based on a brief summary of the forecast jobs growth figures from Oxford Economics and Experian ranging which suggest increases of 609 to 868 jobs per annum. Table 23 in the SHMA (CD2.16) is unclear in that it shows the number of jobs in 2012 and 2032, but also suggests that the change is for the period 2012-31.

- 3.29 The four jobs growth scenarios in the SHMA represent a reasonable range of possible trajectories that are largely in keeping with past economic performance in York.

- 3.30 The implications of these figures for housing need rest on the population change linked to each of the forecasts and to the household and housing growth this implies. On this issue, the SHMA states that:

"Overall, whilst it would be possible to do additional modelling to estimate what level of housing might be needed when set against the forecasts it is not considered that this would be an appropriate approach in the case of York.

The population estimates from each of the scenarios are very similar and in all cases support a level of population growth which is only marginally above the level shown in the most recent 'official' population projections" (CD 2.16 para 5.9)

- 3.31 The SHMA does not therefore formally test the implications of the economic scenarios, but instead relies on the population forecasts provided by the forecasting houses. However, the relevant figures are not set out in any detailed way that enables them to be interrogated. Instead, the only indication of the figures is given in Figure 27 in the SHMA. This shows simply that the population growth figures in the Oxford Economics and Experian forecasts are very similar, and they appear to be slightly higher than the SNPP 2012. They are also markedly lower than SNPP 2014. It is not clear why the SHMA does not include its preferred scenario in this chart, which would position population growth somewhere between SNPP 2014 and the forecasters' figures.

3.32 The outcome of these scenarios are household/housing growth figures ranging from 780 to 814 dpa (CD 2.16 Table 24). In other words, in all cases they are lower than the 833 dpa starting point figure.

3.33 In its brief treatment of the jobs forecast evidence, the SHMA appears to suggest (CD 2.16, para. 5.10) that it has simply applied household formation rates to each of the population figures from the forecasts, and then vacancy/rate second home assumptions to derive dwellings figures. However, in the SHMA's conclusions, it suggests that a different approach has been applied:

The SHMA seeks to model the relationship between jobs and homes. The SHMA adopts an approach which does not seek to change commuting patterns in proportional terms. It models increasing employment rates, linked to an expectation that people will retire later and more women will work. It also takes account of evidence that people may hold down more than one job' (CD 2.16, para. 11.20).

3.34 In short, it is not clear whether or not GL Hearn has or has not carried out its own modeling of the population and housing implications of the forecasters' jobs growth figures. The conclusions suggest that it has, whilst Section 5 of the SHMA suggests the opposite.

3.35 The SHMA itself provides at least one good reason why the forecasters' assumptions should be tested and, in my view, why they should be presented in the SHMA. Table 23 shows that there is a 42% difference between the lowest and highest of the jobs growth figures given by Oxford Economics and Experian. Despite this, the SHMA notes that the population growth figures for each forecast are 'broadly the same' (CD 2.16 para. 5.7). Several factors in the forecasters' modelling could account for this difference:

- Assumptions about the age characteristics of the population. A younger age profile in some of the forecasts might imply a higher number of resident workers and commuters, thereby supporting a higher future rate of employment growth. Since the forecasters' models assume that population change has some bearing on future job numbers, this might account for a difference.
- Assumptions about change in employment rates, economic activity rates and unemployment. The relationship between the characteristics of York's future labour force, jobs and housing need is also driven by assumed changes in the employment or economic activity rates of people of different ages. For example, it would be reasonable to allow for a higher proportion of older residents to be economically active in future years as a result of changes in the state pension age (SPA).

- Assumptions about commuting and any changes that the forecasters' might expect to occur. Advice on assessing housing need published by the Planning Advisory Service in July 2015 (Excerpt in Appendix D in this report) suggests that some caution should be exercised in assuming that commuting patterns will change in modelling housing need.

3.36 Without this information, it is impossible to assess either the realism of the forecasters' assumptions or GL Hearn's treatment of them. These are issues that are likely to be the subject of additional evidence and debate at an examination in public.

Market Signals and Affordable Housing

3.37 The SHMA concludes that net annual affordable housing need in York stands at a substantial 627 dpa (CD 2.16 Addendum, Table 5). The method used to arrive at this figure follows a standard approach used by GL Hearn which draws on government guidance.

3.38 Currently, the Council identifies a maximum requirement of 30% affordable housing in new developments (greenfield 15+ dwellings) in its Affordable Housing Planning Guidance Interim Targets. As the SHMA rightly notes (CD 2.16 para. 6.94), the calculations of OAN and affordable housing need are not directly comparable.

3.39 The SHMA then points to the PPG's approach to linking affordable need and the overall OAN. It highlights para. 029 of the PPG which specifies that:

'The total affordable housing need should 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.'

3.40 At 30% affordable delivery in overall housing development, the implied housing need figure would be an unrealistic 2,090 per annum if this percentage were simply applied to the overall total. However, despite then providing an extended commentary on the components of its affordable need figure and the relationship between affordable need and OAN, the SHMA makes no specific adjustment to the OAN that relates to the 627 annual affordable need. Instead, it concludes only that:

'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 household formation for younger households' (CD 2.16, para. 6.112).

- 3.41 In its conclusions to the affordable need section, the SHMA notes two factors that support its conclusion that no adjustment to the OAN is required:
- Households with affordable need who are already in affordable housing, and who will free up an affordable dwelling by moving home.
 - The role of private rented property in servicing affordable housing need.
- 3.42 The SHMA's discussion of the OAN-affordable housing link gives only one figure for private sector lettings to Local Housing Allowance Claimants. It suggests a figure of 286 a year (CD 2.16, para. 6.106) which demonstrates 'flexibility' within the wider housing market. However, the SHMA goes on to heavily caveat its argument about the role of private rented housing noting, for example, that households living within the PRS and claiming LHA cannot be guaranteed (CD 2.16, para. 6.107). Later, it suggests that one consequence of the Housing and Planning Bill could be a reduction in the supply of affordable housing which could need to be offset by increasing need in the affordable housing calculation (CD 2.16, para. 6.117).
- 3.43 The result is that it is impossible to determine how much of the affordable need figure is accepted by the SHMA as the actual figure for which York City Council should be planning.
- 3.44 What is clear is that the only upward adjustment made by the SHMA is an increase of 8 dpa (or +1%) on the 833 dpa starting point figure, giving the 841 dpa OAN (CD 2.16, Table 53). This represents the SHMA's response to the adverse market signals evidence, although there is no indication that GL Hearn considers this to take account also of affordable housing need. It is the result of a 'sensitivity test' to household formation rates. GL Hearn models the effect of assuming that household formation rates in the 25-34 age group return by 2025 to the level at which they stood in 2001 (ie pre-recession and the acceleration of house prices which quickened in the 2000s), rather than following the trajectory given by the government projections.
- 3.45 The SHMA describes this adjustment as fairly modest (CD 2.16, para. 8.114). At best, this is an overstatement. Over 20 years, the total uplift of 160 dwellings would represent less than 0.2% of the total dwelling stock in York. As an adjustment which is intended to shift the balance of housing demand and supply, an uplift of this scale is unlikely to have such an effect given its size in relation to the total stock of homes.
- 3.46 Furthermore, the SHMA seeks to justify its small adjustment in two ways:
- That the government household projections are already building in improvements to household formation in the key 25-34 age group. There is no evidence to suggest that the government projections have explicitly factored in an improvement in household

formation as described. They are simply the outcome of a complex model based on past trends and Census data.

- That the SHMA has also built into its projections an uplift over the starting point by allowing for the mid year estimates 2013 and 2014 in its projections. Taking account of actual population data in this way does not represent a market signals uplift. Instead, it is merely ensuring that its projections reflect the latest available data on population.

3.47 In summary, the uplift of 8 dpa is the result of a technical modelling exercise. As the component of QAN which is intended to respond to adverse housing affordability evidence, it seems inconsistent with the range of market signals evidence it presents which point to the case for a more positive and substantial uplift to the QAN.

4. York's Full Objectively Assessed Housing Need

- 4.1 The PPG is clear on the need for a three step process that starts with a demographic starting point and then explores the need for an economic adjustment, a market signals adjustment and consideration of affordable housing need. This section sets out the FOAN for York which arises from these three steps.

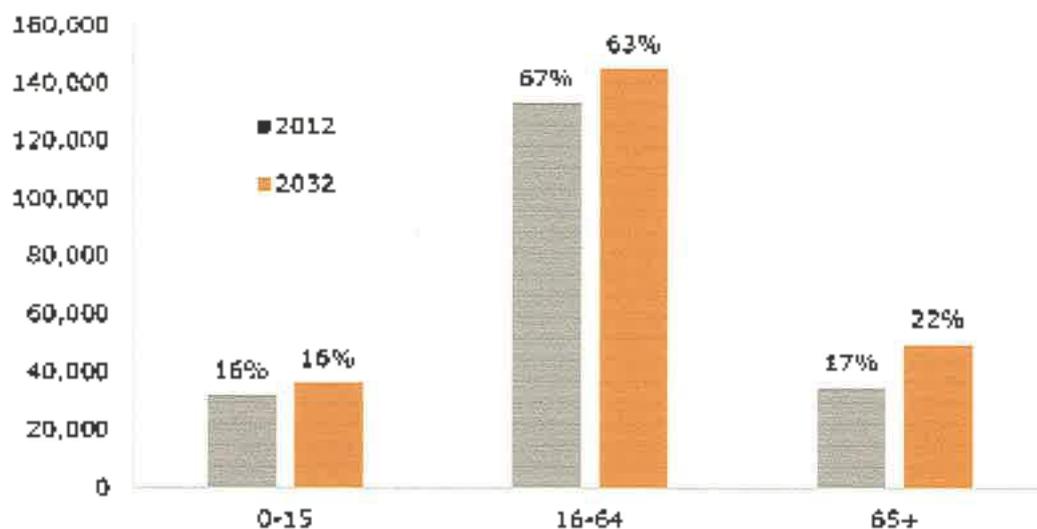
Demographic Starting Point

- 4.2 The starting point for York's OAN is the DCLG 2014 Household Projections, which are based on the 2014 Subnational Population Projections produced by the ONS. These are the most up-to-date official projections available and present a long term picture of population and household growth up to 2039.

Population Growth

- 4.3 Over the period 2012 to 2032, the population in York is projected to grow by 31,400 people, the breakdown of which can be seen below:

Figure 4.1 Population by Age Group, 2012-2032

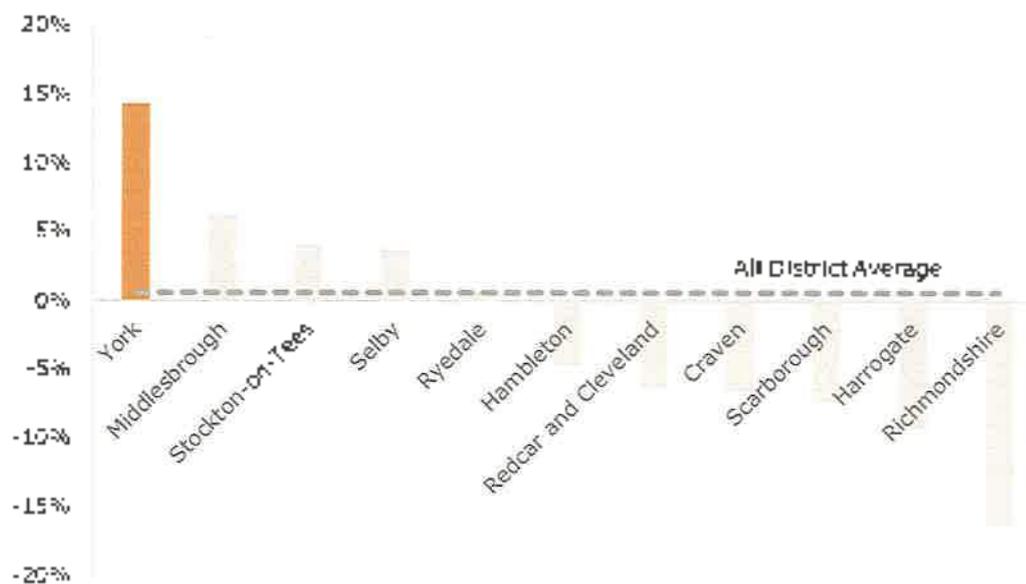


Source: ONS, 2014 Subnational Population Projections

- 4.4 As is the case nationally, the fastest growing age group is those in retirement age, moving from 17% of the population to 22%.

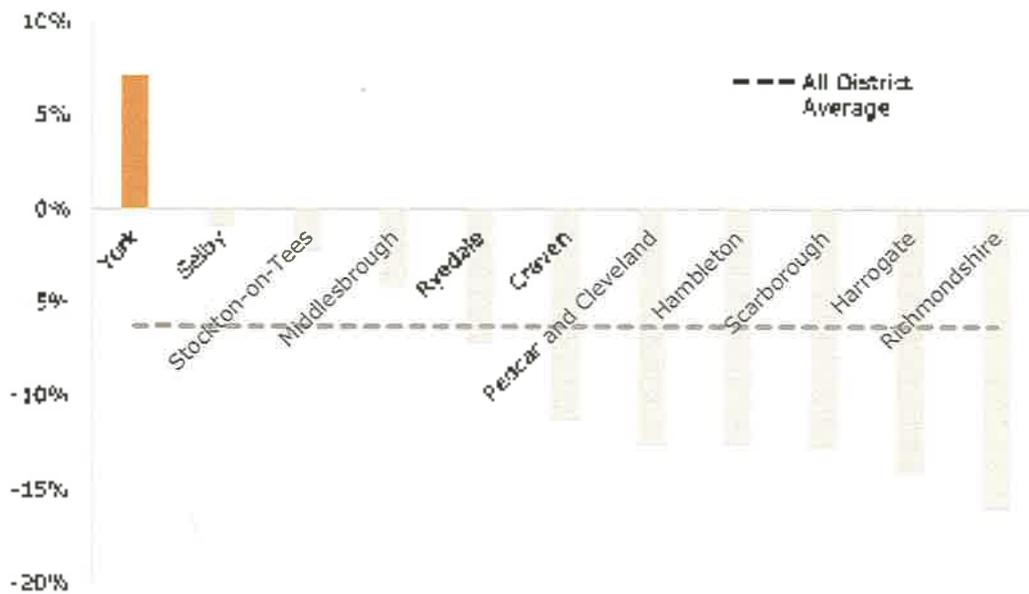
- 4.5 In absolute terms York is predicted to see relatively significant growth in the younger population with an increase of 14% in the those aged under 24. The chart below shows that, between 2012 and 2032, York is expected to see the highest growth in under 24 year olds in North Yorkshire. This increase compares with a 9% projected increase for the 0-24 cohort in England. To put this increase in its wider context, local authority areas including Leeds, Oxford, Cambridge, Milton Keynes and Bristol are projected to see higher increases than York. Bath and North East Somerset, Swindon, Brighton and Plymouth are slightly lower at between 11% and 13%.
- 4.6 Similar trends are evident in respect of other working age cohorts in York – see Figure 3.3. In fact York is the only area of those assessed that will exhibit growth in the 25 to 64 age group which increases by 7% based on the SNPP 2014. The York population is, and will continue to be, considerably more youthful than many other areas of the UK. By comparison, the SNPP 2014 projects a slightly lower increase of 5%. In a wider context, Milton Keynes, Brighton and Bristol are projected to see significantly higher increases (between 12% and 15%). Areas including Leeds, Cambridge, Oxford and Swindon are lower at 3% to 5%.

Figure 4.2 Growth in 0 to 24 year olds in North Yorkshire and Surrounding Areas, 2012-2032



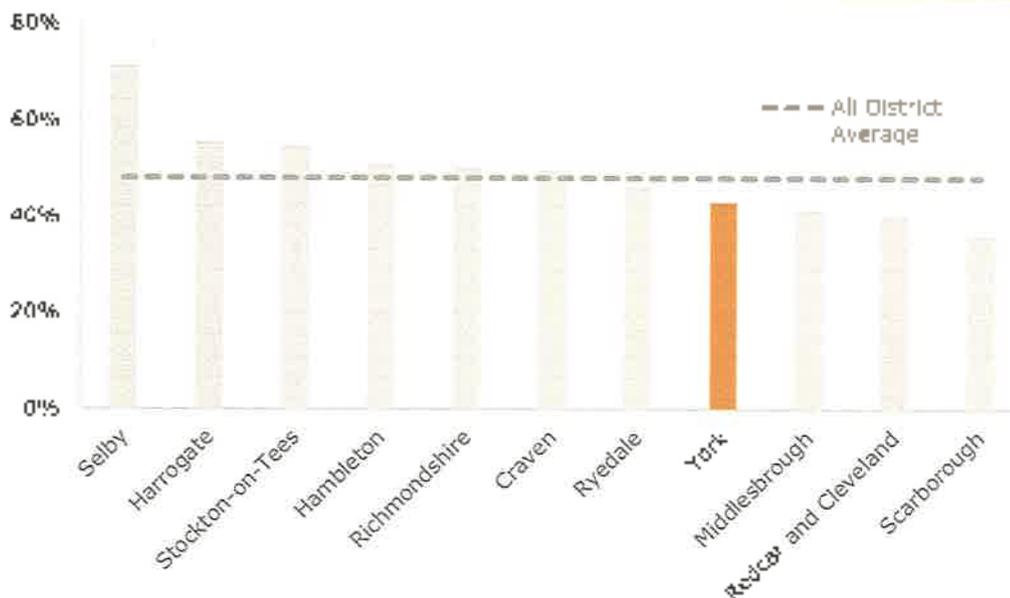
Source: ONS, 2014 Subnational Population Projections

Figure 4.3 Growth in 25 to 64 year olds in North Yorkshire and Surrounding Areas, 2012-2032



Source: ONS, 2014 Subnational Population Projections

Figure 4.4 Growth in 65+ year olds in North Yorkshire and Surrounding Areas, 2012-2032



Source: ONS, 2014 Subnational Population Projections

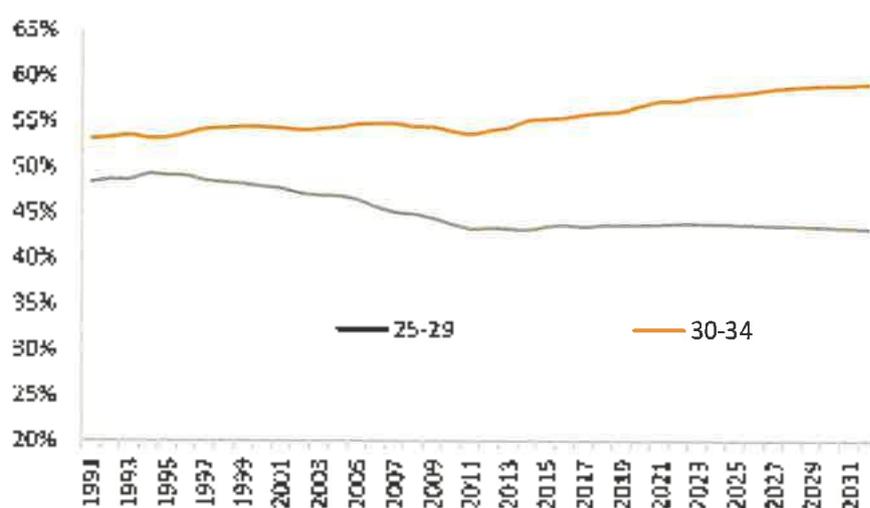
Household Growth

- 4.7 The 2014 based DCIG Household Projections expect the number of households to grow from 84,271 in 2012 to 101,398 in 2032, equating to 856 households per annum. This is significantly

higher than the 755 households per annum increase in the 2012-based Household Projections, reflecting an increase in projected population growth.

- 4.8 To convert these households to dwellings, a vacancy rate of 3.8% from the 2011 Census is applied which mirrors the approach used in the SHMA. This is a standard approach which essentially allows for a proportion of York's housing supply to be vacant or in use as a second home at any given point in time.
- 4.9 The PPG (para. 015 Reference ID: 2a-015-20140306) also specifies that the future household formation rates given by the starting point household projections should be assessed to determine whether they embed the past consequences of the under-delivery of housing and the suppression of household formation. An adjustment may be made to the starting point projections if factors affecting local household formation are not captured in past trends. Since the projections rely in part on past trends, the purpose of this adjustment is widely interpreted to mean assessing whether affordability problems, the effects of recession and the rates at which housing has been delivered in the recent past may not be consistent with longer term trends.
- 4.10 Typically, the forward projection of past suppression is most evident in household formation rates for younger age groups. The SHMA considers, for example, what the 2012-based projections suggest about household formation rates in the 25-34 age group (especially paras. 4.63-4.70).
- 4.11 The chart below shows how the household formation rates for 25-34 year olds have changed in the past and how they are projected to change in future.

Figure 4.5 Household Formation Rates for 25-34 Year Olds, 2014-based household projections



Source: DCLG 2014 based Household Projections

- 4.12 The projections show that, while the household formation rate for 30-34 year olds is projected to rise to a level that exceeds that of the long-term trend, the rate for 25-29 year olds fell from 1997 to 2011 and is projected to be broadly stable at that level in the projections. Taking the 25-34 age group combined, this results in an overall household formation rate which rises between 2011 and 2032 reaching a figure close to that at which it stood in 1991.
- 4.13 On the face of it, the projection for 25-34 year olds is projected to return to a level which pre-dates the recession and the long run increase in house prices that began in the mid-late 1990s. However, this masks the extent to which the rate for 25-29 year olds does not return to the level at which it stood in the early 1990s, and which the projections data suggests was stable through the early-mid 1990s before it fell sharply in the 2000s. This is the age cohort which has been particularly badly affected by house price inflation and the credit crunch, since it represents a large cohort of the population seeking to get on the housing ladder and on their own home.
- 4.14 The PPG does not specify how an adjustment to the starting point projections should be made. This is reflected in OAHN studies, where there is no consensus as to whether or not adjustments to projected household formation rates should be made. Where adjustments are made, there is also a lack of consensus about how they should be applied.
- 4.15 For York, the projections suggest that rates for 25-29 are not expected to return to their longer-term trend. If it were assumed that the rate in this cohort returned to its 1991 level by 2032, this alone would imply an increase of 4.5% or c. 38 extra households a year compared with the starting point projections.
- 4.16 However, making an adjustment to the rates for this age cohort alone would take no account of the knock on impact that the affordability problems faced by younger age groups might have in older age cohorts (ie 30-44 year olds). Since 25-29 year olds will age into older cohorts over the period between 2012-32, any adjustments would also have to take account of the effects in these cohorts.
- 4.17 At best this would be a complex exercise. The household projections suggest that rates for the 30-34 and 35-44 cohorts rise slightly between 2012-32. However, the methodology for the projections does not explicitly factor in a 'recovery' in household formation rates. Instead, if adjustments to younger age groups were to be made to the projections, some adjustment would also be necessary to the older cohorts. This might, for example, imply a higher increase in household formation rates than that assumed in the government projections.

4.18 Our analysis of the demographic starting point gives a household growth figure of 856 per annum based on the 2014 projections. With a vacancy rate allowance added, this gives an annual dwellings figure of 889. Regeneris has also tested the implications if the projections take account of population change between 2012 and 2015. This gives a slightly higher figure of 861 households a year and 895 dpa.

Economic Adjustment

4.19 The SHMA presents a range of jobs forecasts drawn from Oxford Economic and Experian. These are considered to be reasonable forecasts to use, which are aligned with the evidence used in the Council's Employment Land Review. Using POPGROUP software, Regeneris has tested the full range of jobs growth ranging from 609 jobs per annum to 868 jobs per annum.

4.20 A range of linking assumption are required, as follows:

- Unemployment rate trended down from the Census 2011 rate of 5.9% to the average 2004-07 pre-recession rate of 3.6% from the Annual Population Survey's Model Based Estimates by 2020 and held constant thereafter.
- A constant commuting ratio of 0.96 taken from the 2011 Census.
- An adjustment factor to account for double jobbing of 5%.
- Economic activity rates take the Census 2011 starting point and then apply percentage point uplifts from the latest projections published by the Office for Budget Responsibility in 2015. These are independent projections produced for government and are regularly used in housing need assessments.

4.21 The conclusion of the economic growth scenarios modelled by Regeneris is that all the jobs growth scenarios are deliverable with the workforce implied by the 2014 subnational population projections. Our conclusion is that, on the basis of the jobs growth trajectories suggested by the SHMA, no upward economic adjustment is required.

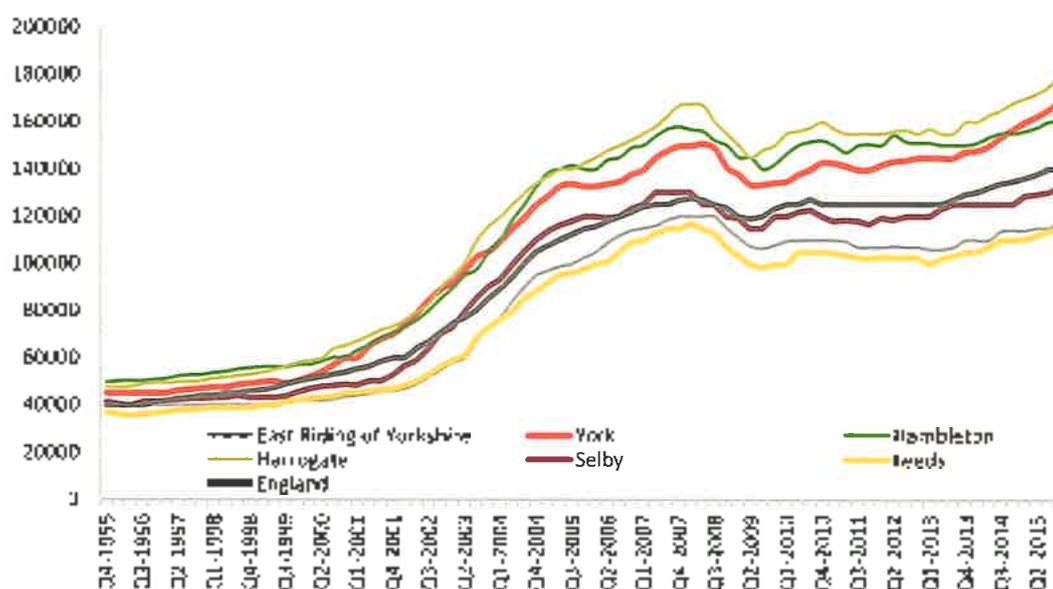
Market Signals & Affordable Housing Adjustment

House Prices

4.22 In 2015, lower quartile house prices in York stood at £169,000 against a national average of £140,000. This figure ranked it second only to Harrogate amongst the local authority districts surrounding York, having seen this measure of price rise above that of Hambleton by the fourth

quarter of 2015. As the chart below shows, the recent trend has seen rising prices after a period of relative stability during the recession years.

Figure 4.6 Lower Quartile House Prices 1995-2015



Source: ONS and Land Registry

- 4.23 On the median house price measure, York ranks alongside Hambleton as the second least affordable local authority area of those considered.

Table 4.1 Median House Price, 2015

| | Median Price 2015 |
|-------------|-------------------|
| East Riding | 155,000 |
| Hambleton | 215,000 |
| Harrogate | 247,000 |
| Leeds | 156,000 |
| Ryedale | 196,750 |
| Selby | 171,000 |
| York | 215,000 |
| England | 212,000 |

Source: Office for National Statistics, Land Registry

- 4.24 Finally, the table below shows the percentage change in house prices that has occurred in each of the comparator areas and England since 1995. On the lower quartile measure the increase is the highest. For median prices, York ranks second to Harrogate.

Table 4.2 Percentage Change in House Prices, 1995–2015

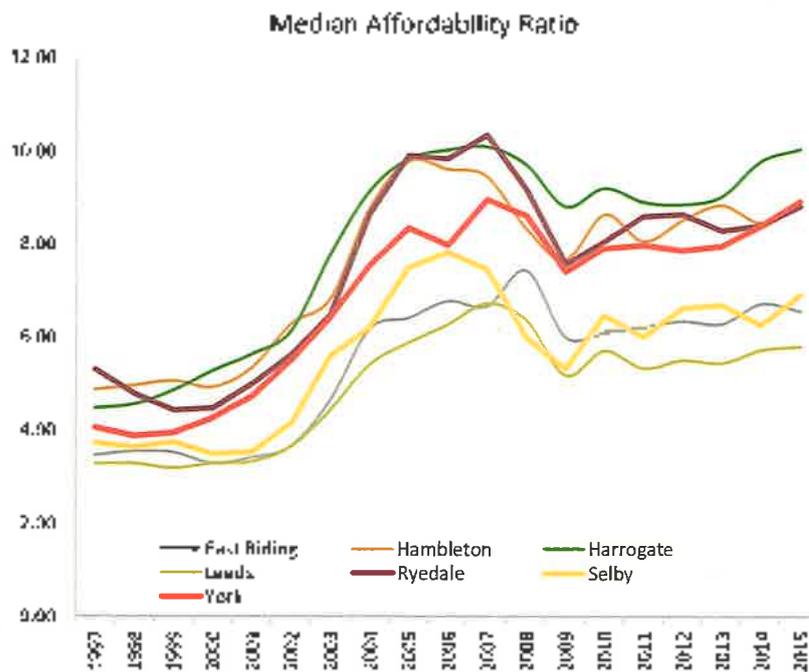
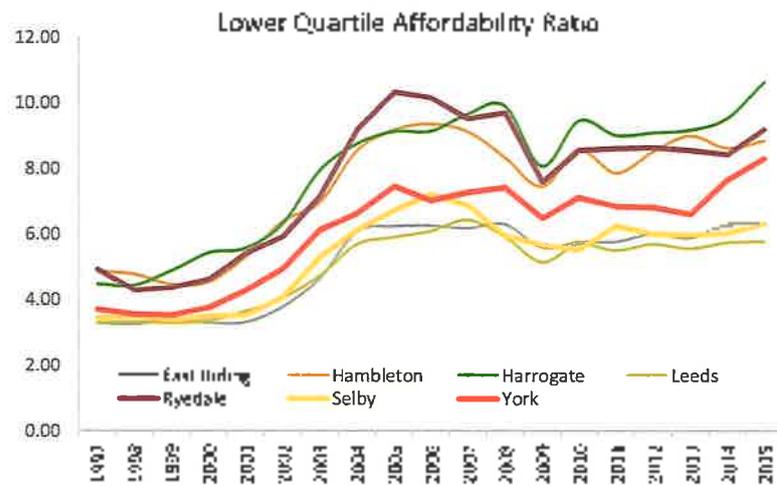
| | Lower Quartile | Median |
|-------------|----------------|--------|
| East Riding | 197% | 201% |
| Hambleton | 223% | 230% |
| Harrogate | 275% | 292% |
| Leeds | 211% | 218% |
| Ryedale | 228% | 236% |
| Selby | 223% | 223% |
| York | 276% | 286% |
| England | 250% | 285% |

Source: ONS and Land Registry

Affordability Ratios

- 4.25 Looking at the ratio between house prices and lower quartile income provides a strong indication of the overall level of housing affordability in an area. At 8.9 in 2015, York's lower quartile affordability ratio, the marker of affordability in the lowest price segment of market housing, stood at 27% higher than the England average of 7.0. The equivalent median affordability ratios were 8.32 and 7.63; the York ratio is therefore 9% higher.
- 4.26 In their own right, current affordability ratios point to York being less affordable than the national average. At close to 9.0, the lower quartile ratio means house purchases are likely to be beyond the reach of a large proportion of the lower earning population.
- 4.27 The PPG also requires that market signals are considered in a comparative context and in terms of change over time. The charts below show lower and median affordability ratios have changed since 1997.

Figure 4.7 Lower Quartile and Median Affordability Ratios, 1997-2015



Source: OCLG Live Tables on Housing Market, Tables 576 and 577

- 4.28 On both measures, York has ranked below the more expensive and rural North Yorkshire districts of Harrogate, Hambleton and Ryedale. On both measures, there also has been a marked worsening in the past 3 years. The chart suggests that, on the lower quartile measure, York has seen its ratio worsen at a steeper rate than all of the comparator areas.
- 4.29 All of the areas have seen a significant worsening of affordability since 1997. However, York ranks second only to Harrogate in the % increase in its affordability ratios over the period to 2015.

Table 4.3 Change in Affordability Ratio, 1997-2015

| | Lower Quartile | Median |
|-------------|----------------|--------|
| East Riding | 94% | 89% |
| Hambleton | 81% | 83% |
| Harrogate | 138% | 124% |
| Leeds | 74% | 76% |
| Ryedale | 87% | 66% |
| Selby | 83% | 84% |
| York | 124% | 119% |
| England | 97% | 115% |

Source: OCLG Live Tables, Housing Market

- 4.30 In summary, on both the house price and affordability ratio measures, the long term data suggest a worsening trend in York over the long term. The rates of change suggest that these adverse trends have recently worsened at a steeper rate in York than in comparator areas, with the exception of Harrogate. In the short term, a return to price inflation post-recession shows very clear signs of York experiencing a further deterioration of affordability at a rate which is faster than those of the comparator areas.
- 4.31 The SHMA itself adds further weight to the evidence that prices in York are comparatively worse than those of neighbouring areas. At Figure 36 of the SHMA (Median House Prices) shows that York ranks second to Hambleton on prices for detached properties and the overall measure, but the most expensive of the three comparators (Ryedale, Hambleton, Yorkshire and Humber) for other house types.

Private Rents

- 4.32 Data provided by the Valuation Office Agency (VOA) gives private rent prices recorded for each of the areas considered in our analysis. The table below compares the latest available data on lower quartile and monthly rents recorded. It shows York as the highest priced of the areas, alongside Harrogate.

Table 4.4 Monthly Rents, April 1 2015 March 31st 2016

| | Lower Quartile Monthly Rent (£) | Median Monthly Rent (£) |
|-------------|---------------------------------|-------------------------|
| East Riding | 400 | 475 |
| Hambleton | 500 | 575 |
| Harrogate | 595 | 695 |
| Leeds | 500 | 615 |
| Ryedale | 475 | 550 |
| Selby | 475 | 550 |

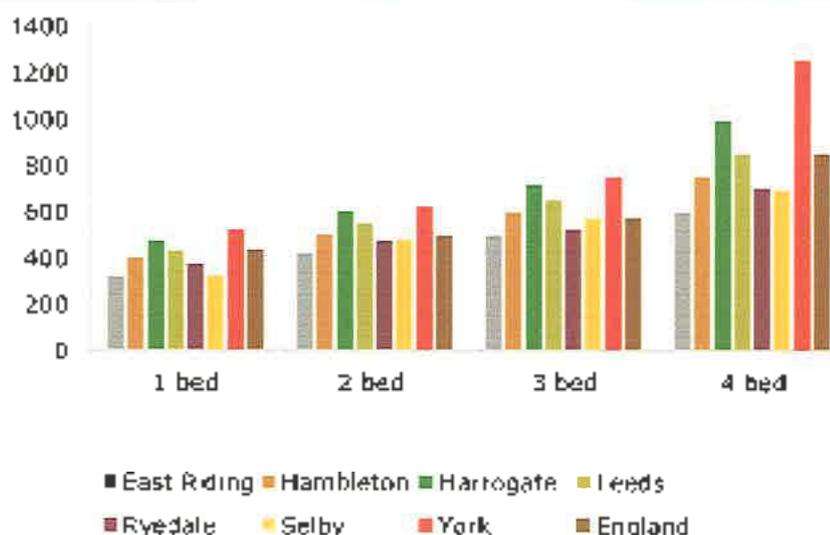
Full Objectively Assessed Housing Need (FOAN) in York

| | | |
|---------|-----|-----|
| York | 595 | 695 |
| England | 495 | 650 |

Source: Valuation Office Agency, Private Rental Market Statistics

- 4.33 With the exception of 2 bedroom properties where median prices are higher in Harrogate, York ranks the highest of the local authority areas considered in our analysis. Prices are also markedly higher than the England equivalents.

Figure 4.8 Private Rents Recorded, 2015-16



Source: Valuation Office Agency, Private rental

- 4.34 Rental price change data from the same VOA source have also been reviewed. Data are only provided for the period from 2011 so it is not possible to assess long term change. Here, the picture is mixed. Overall, York has seen lower quartile (+8%) and median rents (+3%) rise less steeply than England (+10% and 14%) and Leeds (+11% and 12%). On the median measure only East Riding has seen a lower increase. However, the picture is different for specific sizes of property. Rents for 4 bed properties in York increased by 21% and 26%, a far higher increase than all of the comparators. For 1 bed properties, York saw rents increase by 11% and 13% compared with 9% and 11% nationally.
- 4.35 On the private rent prices indicator, there is therefore also evidence that York is both comparatively less affordable and has seen a worsening trend in recent years.

Occupancy Rating

- 4.36 An occupancy rating provides an assessment of the demographic composition of a household against number of bedrooms to show the level of under occupancy or overcrowding. Overcrowded

conditions and sub-standard housing are associated with a wide range of social impacts including poor health and family stress. At worst, it may result in increased incidence of homelessness.

4.37 Census 2011 data shows that 7.1% of households in York were classified as having an insufficient number of rooms to meet their requirements. These households are living in housing which is sub-optimal for their household size/characteristics. Overall around 5,930 households fell into this category. This compares to 8.7% in England. Of the other areas considered, only Leeds (9.1%) had a higher proportion of such households in 2011.

4.38 Comparing the 2011 figures with those from the 2001 Census shows that York saw the biggest percentage point increase (2.0) of all the areas considered in terms of the proportion of households overcrowded on this measure. Leeds (1.3 ppts) and Harrogate (0.3 ppts) were the closest, whilst the England figure was 1.6 ppts.

Concealed Families

4.39 Concealed families are often those who wish to form a separate household but are unable to do so due to the unaffordability of local market housing and an undersupply of affordable housing. Research undertaken for the 2013 UK Housing Review⁴ highlights the extent of growth in hidden households and especially among the youngest age brackets⁴. Data from Census 2011 shows that there were 586 concealed families in York, constituting around 1.1% of all families. This was an increase of 256 (or 66%) compared with the 2001 figure. The increase over this period for England was 59% over the same period.

Homelessness

4.40 A review of homelessness data shows that York has a lower incidence of homelessness (per 1,000 households) than the national and average for the area, and has seen its rate of homelessness fall at a steeper rate than that of England in recent years.

Housing Delivery Rates

4.41 The SHMA itself (paras. 8.38-8.39 and Figure 44) shows that York has under-delivered housing against relevant target and need figures since 2007-08. It identifies a backlog figure of 1,979 units, which is assumed to be for the years from 2007-8 onwards based on the SHMA's analysis.

⁴ Pawson, H., Wilkins, S. (2013) 'UK Housing Review' <http://www.york.ac.uk/res/ukhr/index.htm>

⁴blogs.ft.com/ftdata/2013/03/04/housing-supplydemand-malfunctions-data-reveals-over-1-million-hidden-households/

4.42 The latest available figures from the Council's 2015-16 Annual Monitoring Report (AMR), which are not included in the SHMA, show net completions of 1,121. However, the AMR makes it clear that 52% of these were of off campus, privately managed student accommodation. Of 482 net completions reported in the 2012/13 AMR, 124 were described as 'student cluster flats'. This suggests that housing for general need has been delivered at a lower rate than that of all housing when student accommodation is included.

Adjustment to OAN

4.43 On the range of housing market indicators described above, several are indicative of a housing market under pressure and one in which there is an imbalance between supply and demand. Where such evidence is present, the PPG recommends that a market signals adjustment be considered. The approach implied by the PPG is to increase the OAN figure based on demographic need with the aim of contributing to a shift in the supply-demand balance. However, the PPG does not specify what level of adjustment would be appropriate.

4.44 We have considered two alternative ways of making a market signals adjustment.

4.45 First, for a number of Local Plans, housing need evidence prepared for Councils and Inspectors in examinations in public have recommended a flat rate percentage uplift to deal with market signals issues.

- In conclusions on the Eastleigh and Littleford EIPs, the Inspectors applied a 10% uplift to reflect market signals evidence. For Eastleigh, the Inspector's Preliminary Conclusions (Excerpt in my Appendix A) pointed to rates of increase in affordability ratios and private rents that were higher than national and HMA/Hampshire figures as evidence of 'modest' market signals pressure. The Inspector described this approach as cautious. In the more expensive Uttlesford district, the inspector's conclusions considered a range of evidence including affordability ratios, homelessness, median prices and rents, and the potential for a higher OAN to assist in meeting affordable housing need, in arriving at a 10% uplift (Excerpt in my Appendix B).
- In recent OAN evidence prepared for Buckinghamshire authorities, the authors of the area's Housing and Economic Development Needs Assessment concluded on market signals uplifts of 10% for Aylesbury Vale and 20% for Chiltern, South Bucks and Wycombe reflecting their more severe affordability problems.

- In the recent Canterbury Examination in Public, the Inspector's report on the outcome of the Stage 1 EiP hearings summarises the evidence on housing need he had considered which included proposed uplifts of 10% and 20% (Excerpt in my Appendix C). The figure he accepted as the OAN was somewhat higher at 803 dpa than a 744 dpa figure that represented the application of a 20% market signals uplift applied to the starting point projections (see para. 20). Whilst the Inspector noted that 20% would represent a very significant uplift and that there was some overlap between that figure and other assumptions, his report pointed to the 803 dpa figure being 30% higher than the starting point projection (para. 25).

4.46 Applied to my demographic OAN figure of 889 dpa, a 10% uplift would give an OAN of 978 dpa. A 20% adjustment would take the figure to 1,066 dpa.

4.47 A second approach is to follow the method recently set out by the Local Plan Experts Group, which I consider further below.

Affordable Housing

4.48 The SHMA concludes that net annual affordable housing need in York stands at 627 per annum (CD 2.10, Addendum, Table 5). At the higher figures suggested by my analysis with 10% or 20% market signals uplifts applied (978 or 1,066) dpa, the delivery of housing at this level has the potential to make a larger contribution to meeting this need than the 841 dpa figure proposed by the SHMA. The Council's Affordable Housing Planning Interim Targets currently set a maximum threshold of 30% affordable housing in new greenfield developments.⁵ Based on a simple application of this threshold, my figures would imply 293-318 affordable homes per annum, whilst the 841 dpa figure would imply 252 per annum.

LPEG Analysis

4.49 I have also considered the implications for York's OAN if the approach to housing need assessment proposed by the Local Plans Expert Group (LPEG) is applied. The LPEG was set up by the Government in 2015 to consider how Local Plan making could be made more effective, efficient and streamlined. It produced a report to the Communities Secretary and the Minister of Housing and Planning in March 2016 with its recommendations. These included detailed recommendations

⁵ https://www.york.gov.uk/info/20049/planning_advice_and_guidance/1148/affordable_housing_planning_guidance_-_interim_targets

on an alternative method for establishing an OAN, which took the form of draft revised wording to PPG.

4.50 The approach recommended by the LPEG was as follows:

- **Output A: Starting Point** - This takes the highest population growth between a base demographic scenario based on the most recent household and population projections and a demographic scenario using 10-year average migration. Then headship rates for 25-44 year olds are adjusted to the highest between the latest household projections and a recovery to part way between the latest household projections and the 2008 projections by 2033.
- **Output B: Market Signals** - The housing number from Output A is then adjusted to take account of evidence on relative affordability in terms of the house price to earnings ratio and rental costs as a proportion of earnings.
- **Output C: Affordable Housing Need** - LPEG specifies that plan makers should establish the total number of affordable homes needed using a revised methodology also proposed by LPEG. The overall housing need figure necessary to meet affordable need should then be calculated based on its likely delivery as a percentage of mixed market/affordable housing developments, using target percentages in adopted or emerging local plans. Where the resulting number is higher than the Output B figure, an upward adjustment should be made so that the OAN figure is set at the overall figure described above. This suggested adjustment is set at a maximum of 10%.
- **Output D:** The final OAN figure is the highest of the outputs B and C.

4.51 The government is yet to respond to the LPEG report. It has been considered by Parliament's DCLG Select Committee, which is understood to have issued its findings to the DCLG. In this regard, the LPEG method does not yet represent new guidance. However, it is useful to consider the implications of the LPEG approach to market signals evidence, since it set out a straightforward method of generating an OAN which could be applied to any local authority and housing market area.

Starting Point

4.52 Our base demographic starting point for our OAN stands at 889 dpa across the period. Two methods were tested for 10 year migration scenario (10 years before 2015). Average net migration in past years has been significantly higher than the level assumed in the SNPP 2014, reflecting in

population growth figures for York over this period. Applying the 10 year averages for domestic and international migration gives 1,250 dpa, a much higher figure than the starting point projection. Using average migration rates rather than actual figures gives 825 dpa, so slightly lower than the starting point figure. The implication then is that the starting point of 889 dpa is the minimum that should be used in applying the LPEG method.

- 4.53 Headship rates for 25-44 year olds in the 2008 based projections were projected to be significantly higher than those of the 2012 based projections so we have applied the recommended LPEG adjustment, bringing our demographic starting point up to **960 dwellings per annum**.

Market Signals

- 4.54 As well as adjusting headship rates, the LPEG recommends applying an adjustment that is proportionate to the scale of affordability issues in the housing market area. The adjustment is made as follows:

- Where the Median House Price Ratio (HPR) is less than 5.3 and Lower Quartile Rental Affordability Ratio (RAR) is less than 25% no uplift is required;
- Where HPR is at or above 5.3 and less than 7.0 and/or the RAR is at or above 25% and less than 30%, a 10% uplift should be applied;
- Where the HPR is at or above 7.0 and less than 8.7, and/or the RAR is at or above 30% and less than 35%, a 20% uplift should be applied; and
- Where the HPR is at or above 8.7, and/or the RAR is at or above 35%, a 25% uplift should be applied.

- 4.55 The DCLG and ONS have not yet published the datasets that would enable these figures to be straightforwardly calculated, since it requires averages of the past 3 years figures to be calculated. However, I have attempted to follow the method described by LPEG drawing on average data from 2013-15. The Median HPR averaged at 7.3 over this period, whilst the lower quartile RAR averaged 36.5%. This points to an adjustment of 25%.

Affordable Housing Need

- 4.56 The recommended proportion of affordable housing in new developments in York is currently set at up to 30%.⁵ The SHMA Addendum estimates a net affordable need of 627 dwellings per annum. To reach this affordable need at the recommended proportion of affordable housing, York would require a housing need figure of 7,090 dwellings per annum. As this represents a significant uplift of 74% on the 1,200 dwellings per annum from output B, LPEG recommends the full affordable housing uplift to 10%. This suggests a housing need of 1,320 dwellings per annum.

Final Output

- 4.57 The LPEG approach suggests that the final OAN figure is the highest of outputs A, B and C. This would equate to a housing need figure of at least 1,320 dpa in York for the period 2012 to 2032.

Table 4.5 LPEG Method

| | Dwellings per annum |
|--|---------------------|
| Output A: Starting Point | 960 |
| Output B: Market Signals | 1,200 |
| Output C: Affordable Housing Need | 1,320 |
| Output D: Recommended Final OAN Figure | 1,320 |

Source: Regeneris Consulting

Summary

- 4.58 Analysis of the evidence points to a starting point OAN figure of 889 dpa based on the latest government population and household projections.
- 4.59 Jobs growth scenarios in York have been tested in our report, but the conclusion is that no upward adjustment to this 889 dpa figure would be necessary to account for future employment growth.
- 4.60 On a range of indicators, York has seen worsening market signals. Both in absolute terms and in rates of change over the long term, the city compares unfavourably to a range of other areas considered in the assessment. Application of the LPEG method points to the need for a 25% uplift. However, given the position York finds itself in, a 15% uplift would better reflect the magnitude of

⁵https://www.york.gov.uk/info/20049/planning_advice_and_guidance/1148/affordable_housing_planning_guidance_-_interim_targets

the affordability problems facing York, and would be more reasonable than the much higher figure suggested by the LPEG approach. This would imply an OAN of 1,020 dpa.

5. The View of NLP

5.1 It is useful to compare the assessment of York's FOAN described in section 4 with other assessments. Evidence on the FOAN was submitted by NLP on behalf of a consortium of house builders to the recent City of York Local Plan Preferred Sites Consultation. Its study, Technical Report 1: Objective Assessment of Housing Needs, was submitted in September 2016 and provides another independent assessment of York's OAN (Attached at my Appendix E).

5.2 The key components of NLP's modelling of York's OAN are summarised below:

- It assumes a slightly higher demographic starting point than Regeneris (938 dpa v 889 dpa), which is the result of a modest adjustment to the household formation rates that NLP uses in its modelling (para. 6.9). Both the Regeneris figures and those of NLP are higher than the Council's starting point of 833 dpa.
- Its 10 year migration scenario generates OAN figures of 1,118 to 1,183 dpa (para. 6.10).
- NLP makes no upward adjustment for economic factors, as per Regeneris and the Council. In the highest of its economic growth adjusted figures, the OAN would be 923 dpa, a figure lower than its demographic starting point scenario (para. 6.21).
- NLP concludes that a 20% market signals uplift is justified, noting that there are significant imbalances in the demand for and supply of housing in York (para. 6.15). It notes that its analysis of the LPEG method points to an uplift of 20%, whereas the Regeneris analysis suggests it would be 25%.
- It concludes that the OAN for the City of York should be at least 1,125 dpa (para. 6.34) but that a figure of 1,255 would be justified to meet affordable housing need in full at an assumed delivery rate of 50% (para. 6.34).

5.3 The NLP study's conclusion is therefore on an OAN which is slightly higher than the Regeneris figure. In both cases our respective OAN's are markedly higher than the SHMA's proposed OAN figure, and both use as their base the most up-to-date government population and household projections.

6. Conclusions

- 6.1 York Council, in its City of York Local Plan Preferred Site Consultation document, adopts a housing requirement of 841 dpa between 2012 to 2032. The number is derived from the June 2016 SHMA prepared by GL Hearn.
- 6.2 The SHMA adheres to the current PPG in that it follows the three step process of 1. A demographic starting point and then exploring the need for 2. An economic adjustment and 3. A market signals adjustment.
- 6.3 The GL Hearn 841 dpa is derived from the 2012-based CLG household projections (833 dpa) with a 1% market signals uplift (8 dpa). GL Hearn's position is that no economic adjustment is required in York.
- 6.4 There are three main flaws in the GL Hearn work:
- It is based on the 2012-based CLG household projections. The more recent 2014-based projections are now available and point to a higher starting point.
 - The market signals adjustment at 1% is trivial and will do nothing to improve affordability.
 - The OAN is not adjusted in any way to take account for what is a very significant net affordable housing requirement of 627 dpa.
- 6.5 Regeneris has undertaken a separate FOAN analysis for York. Our approach is as follows:
- It starts with 880 dpa extracted directly from the latest 2014-based CLG household projections.
 - It assumes that no economic adjustment is required to the starting point. Various economic scenarios have been tested and the population trends underpinning the CLG household projections provide sufficient labour to meet these scenarios. This is because York has a relatively younger population compared to many other areas.
 - A more reasonable 15% market signals adjustment is applied. This adjustment both (i) better reflects the extent of the market signals issues in York and (ii) provides a better platform to deliver the required scale of affordable housing.
- 6.6 On the basis of the above, we arrive at an OAN of at least 1,020 dpa for the period 2012 to 2032.

- 6.7 It is essential that the Inquiry also has regard to the emerging OAN guidance from the Local Plans Expert Group (LPEG). It is highly likely that this new guidance will be introduced, subject to some modest changes, later in 2016.
- 6.8 I have assessed the implications of the changes to PPG proposed by LPEG. York triggers the highest market signals uplift (25%) and also triggers the full 10% affordable housing adjustment. Applied in full, the proposed LPEG approach generates an OAN of 1,320 dpa.
- 6.9 I therefore recommend that the Five Year Land Supply Assessment be based on the basis of a minimum housing requirement of 1,020 dpa. It is possible that post-LPEG the OAN may well increase to circa 1,300 dpa.

Appendix A - Eastleigh Inspector's Conclusions

Report to Eastleigh Borough Council

by **Simon Emerson BSc DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: **11th** February 2015

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO EASTLEIGH BOROUGH COUNCIL'S
EASTLEIGH BOROUGH LOCAL PLAN 2011 - 2029**

Document submitted for examination on 15 July 2014

Examination hearings held between 10 and 13 November 2014

File Ref: PINS/W1715/429/4

Market signals

39. The Framework and Guidance indicate that household projections should be adjusted to take into account market signals. The Guidance refers to appropriate comparison of indicators both in absolute levels and rates of change. The SHMA (EBC/H4A, 6.90-6.97) highlights Eastleigh and Fareham among the core PUSH authorities as experiencing the highest median prices for most property types and where affordability issues are more acute. Overall, it concludes that market signals are not significant for most of the core authorities, but identifies modest market pressure in Eastleigh and Fareham.
40. Developer interests highlight a range of market signals (see, for example, Table 5.3 in Nathaniel Lichfield and Partners work for Gladman

- 11 -

Eastleigh Borough Local Plan, Inspector's Report February 2015

Developments). Not all signals demonstrate that Eastleigh is worse than the national or regional/sub regional averages. But on some crucial indicators it is. Between 1997 and 2012, the affordability ratio for Eastleigh worsened by 97%. For the Southampton HMA and England the figures are 92% and 85% respectively (Barton Wilmore, Open House October 2014, Table 6.4, for Hallam Land). Time series rental data from the Valuation Office Agency is available only between 2011 and 2013, but indicates rents rising by 7.4% in Eastleigh compared with 4.4% nationally and 6.9% in Hampshire (Open House, paragraph 5.12). Overall, market signals do justify an upward adjustment above the housing need derived from demographic projections only.

41. 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.

Appendix B - Uttlesford Inspector's Conclusions

EX157

Examination of the Uttlesford Local Plan (ULP)

Inspector's conclusions

At the hearing on 3 December 2014 I summarised the conclusions I had reached about the soundness of ULP and cancelled further hearings. I indicated that I would write more fully before Christmas. These are my fuller conclusions.

1 Objectively assessed need for housing (OAN)

1.1 Para 47 of the National Planning Policy Framework (NPPF) requires that, in order to achieve a significant boost in housing supply, Local Plans should meet the full OAN for market and affordable housing in the Housing Market Area (HMA) as far as consistent with the policies in the NPPF.

1.2 Looking at the most recent (phase 6) demographic work by Edge Analytics using the SNPP-2012 data, the assumed net migration flows are somewhat lower than the annual average for Uttlesford over the period 2003/4-12/13 and more so compared with the average over the past 5 years. It has been argued that the SNPP-2012 projections underestimate the migration component, particularly the very recently experienced levels of net international migration. However, flows of this type can be dynamic and unpredictable. Overall I am not convinced that there is evidence to demonstrate the necessity in Uttlesford of departing from the current ONS approach to a national control total. However, I return briefly to the question of future migration from London in the final paragraph under this heading (ie the OAN).

1.3 The phase 6 work indicates an annual dwelling requirement of 508 based upon 2011 household formation rates or 549 using 2008 rates. The average of the two rates gives a requirement of 529pa. My view is that 529 represents an appropriately modelled demographic projection, allowing for some return towards very long-term pre-recession trends in household formation rates and avoiding embedding the post-recessionary conditions judged to have been reflected in the 2011 Census.

1.4 In itself, increasing the plan's provision by 6pa to 529pa would not be a major issue. However, Planning Practice Guidance (PPG) 2a-019 recognises that various factors may require some adjustment to be made to demographically-modelled household projections. PPG 2a-20 gives guidance on how plan makers should respond to such signals, indicating that comparisons should be made with longer term trends and that (where these worsen) upward adjustment will be

required to planned numbers compared with those based solely on household projections.

1.5 PPG 2a-020 suggests a number of market signals which should be taken into account. In terms of the median price of housing, Uttlesford is within the top 15% of local authority areas in England. The percentage change in the median price in the period 1998-2013 has been slightly below those for Essex and England but from a very much higher base. Turning to rental levels, only limited time-series information is available, but median rents are higher than Essex and England and have risen by 7% in the period Q2 2011 to Q3 2013 compared with 3% in Essex and 4% in England. Uttlesford is marginally outside the top 25% authorities in England in terms of rental levels.

1.6 The above housing cost factors are reflected in affordability issues. Measured in terms of the ratio between lower quartile house prices/lower quartile earnings, Uttlesford is within the top 10% least affordable local authorities, significantly above the ratios for Essex and England. A CLG live table shows UDC's ratio rising to a much sharper peak than these comparators (at about 12) just prior to the recession in 2007, before it fell and then resumed rising in the past few years whereas Essex and England have remained largely flat.

1.7 Turning to homelessness, the number/1000 households accepted as homeless and in priority need is modest in Uttlesford compared with Essex and England but a CLG live table shows that Uttlesford experienced a rise in the incidence per 1000 households between 2004/5 and 2012/13 whereas in the comparators the incidence more than halved.

1.8 PPG 2a-020 advises that any necessary upward adjustment in relation to market signals should be set at a level that is 'reasonable' and in scale with the strength of the indicators. Precision is not to be attempted in estimating the impact upon housing supply. Any uplift is to be on a scale which, on reasonable assumptions and consistent with the principles of sustainable development, could be expected to improve affordability.

1.9 In addition, PPG 2a-029 indicates that an increase in the housing provision in the plan should be considered where it could help to deliver the required number of affordable homes. The QAN is defined in the NPPF as including the full needs for both market and affordable housing. However, the best current available estimate of need for affordable housing is that expressed in the updated SHMA (2012), which identifies it as 54% of total need. Plainly that total could not be achieved through the operation of LUP policies HQ7 & HQ8 even if no viability issues arose to prevent delivery at 40/20% according to site size. However, it is clear there will be such instances (eg see below in relation to the example of Great Dunmow where policies 2-4 will require a significant number of affordable homes to be foregone in favour of education contributions).

1.10 A number of participants at the examination separately advanced cases for an increase in provision of about one-third on the basis of the above factors. That would bring provision to about 700pa, or an additional 3,500 dwellings during the plan period. I find no convincing evidence to support an increase on that substantial scale. I also accept that the objective of improving affordability could be difficult to achieve within the confines of one local authority area and that affordability is affected by many more factors than land supply. However, taking all the above factors in the round, I conclude that it would be reasonable and proportionate, in Uttlesford's circumstances, to make an upward adjustment to the OAHN, thereby increasing provision with a view to relieving some of the pressures. In my view it would be appropriate to examine an overall increase of around 10% to about 580pa (an additional total of 1,120 dwellings).

1.11 Concerning the type of economic factors referred to in PPG 2a-018, the phase 6 work does not suggest that household growth scenarios based upon Uttlesford's forecast population of working age would exceed the housing provision in the plan based upon the East of England Forecast Model which is the one used in the Local Plan. Another scenario (Oxford Economics) shows a different outcome, but it is clear that a significant part of Uttlesford's expected employment growth will be focused on the airport where over 80% of employees are drawn from across a wide area outside Uttlesford. Evidence on the overall commuting patterns into and out of the District also makes it hard to draw any firm conclusion that housing provision on the above scale would hinder economic aspirations.

1.12 Finally, returning to an aspect of migration, Uttlesford has consistently been a recipient of in-migration from London and this will already be reflected in the migration assumptions behind the SNPP 2012 projections. The future unmet needs of London discussed in the Further Alterations to the London Plan may give added impetus to this potential pressure over coming years. However, it is unclear whether or what mechanisms will emerge to address this complex issue following the Mayor's overtures to authorities in the Greater South East, still less what kind of solutions (eg concentration at certain locations or wider dispersal) may be adopted. Pending wider consideration of this matter I am not convinced that it can bear much weight in assessing the OAHN for Uttlesford as a single local planning authority among many within London's orbit.

2 Eisenham policy 1 – land north east of Eisenham

2.1 This policy is by far the largest allocation in ULP, providing for 2,100 homes, a local centre (retail and employment) uses and community and health buildings), primary education (and possibly secondary education, dependent upon future decisions concerning an existing school), and recreational uses. First included in the original options stages of the plan in 2006/7, the scheme has been described by the Council for much of the intervening period as a 'new settlement'. However, the submitted plan (para 22.1) describes it as 'a large strategic allocation' with 'the potential to expand in the future to continue to

Appendix C - Canterbury Inspector's Note on Outcomes of Stage 1 Hearings

Canterbury District Local Plan Note on main outcomes of Stage 1 hearings

Introduction

1. There are two broad matters that are crucial to the next steps in my examination, potentially affecting the timetable, including the Stage 2 hearings scheduled to commence at the end of September. Firstly, there are some matters of legal compliance, including those relating to the Sustainability Appraisal, which could impact on progress. Secondly, the Council has accepted on its own calculation that it does not have a 3-year housing land supply. It is considering as a matter of priority how that might be remedied having regard to the relationship between key sites, critical infrastructure and viability. However, my conclusions on, amongst other things, the appropriate figure for objectively assessed housing needs and the method of calculating the land supply will have implications for that work which the Council will need to take on board.
2. In that context, this note is limited to those matters, containing sufficient detail to explain my conclusions where it is necessary to do so at this point. My full reasoning will be included in my report to the Council. There are of course also a wide range of other matters considered under Stage 1 of the Examination, including aspects to which the Council is giving further attention. I have not dealt with those here as they will be addressed as appropriate in my report.

Sustainability Appraisal

3. The Plan was submitted with a Sustainability Appraisal (SA), June 2014, prepared by AMEC Environment & Infrastructure Ltd. My principal consideration is whether it amounts to reliable evidence underpinning the selection of the spatial strategy and the allocated sites. The main comments relating to the SA concern the approach to the consideration of alternatives, whether a 'paper chase' is required to understand the SA, the selection of the preferred sites, cumulative effects of development and transport, and the description of the environmental characteristics of the area.
4. In 2010 the Council appraised 9 broad spatial strategy options in the Core Strategy SA. An option that combined elements of 3 of those was considered the most appropriate basis for further consideration. The Council then produced a Development Requirements Study (DRS) which included 10 different scenarios for the amount of development. These were appraised against the 16 SA objectives and a preferred scenario selected. Whereas the DRS was not accompanied by a compliant SA there was an appraisal in a Technical Note which used the same methodology as the subsequent SAs.
5. The quantum of development chosen from the DRS was substantially greater than that used in the initial spatial alternatives. Representations have been made suggesting that the preferred spatial option should have been reversed in that context. However, the Council undertook an appraisal of the Preferred Option Local Plan in 2013 which included two alternative

12. It is contended that the wording of Policies SP7 and L85 is such that it permits the possibility of likely significant effects and therefore an appropriate assessment should have been undertaken. However, the evidence shows that the likelihood of significant effects is sufficiently low that an appropriate assessment is not required.
13. There is some confusion over the relationship between the July 2014 screening and Topic Paper 3. NE has suggested that for clarity they should be brought together and in my view this would be beneficial so that the process undertaken and its outcomes are readily understood. Overall, however I consider that the Council has complied with the legal requirements in respect of the Habitats Regulations.

Other legal compliance matters

14. The latest version of the Local Development Scheme had not been formally adopted but this has been remedied by securing approval at the full Council meeting on 23 July 2015.
15. General concern has been expressed at the Council's consultation process including at the number of documents produced by the Council after consultation on the submission Plan had taken place. On the evidence before me the Council has generally followed the principles set out in its adopted Statement of Community Involvement (2007). Although this predated the Framework it accords with its aim of engaging a wide section of the community.
16. It is evident that many of the documents specified had been published prior to the June 2014 consultation and would appear to comply with the requirements of the Regulations. Some of the documents produced after consultation (for example, the Topic Papers) were drawing together the Council's case from other published information. It is inevitable that as part of a process of seeking to resolve objections or concerns there will be some further documents produced and new information will become available. In accordance with my Examination Guidance notes participants were able to comment on the implications of the additional documents in their further written statements to the Examination. In some instances they featured in my list of questions. Many have taken that opportunity and their views are being taken into account in my consideration of the Plan.

Objectively Assessed Housing Needs

17. The National Planning Policy Framework ('the Framework') requires that a Local Plan should meet the full, objectively assessed needs (OAN) for market and affordable housing in the housing market area. The Council's Strategic Housing Market Assessment was produced jointly with other east Kent authorities but dates from 2009. It shows a complex pattern of housing market areas mainly contained within each District but with some overlapping rural markets. However, following clarification from Swale Borough Council as to their approach to apparent unmet housing needs, the position of neighbouring authorities, confirmed at the hearings, is that they are all aiming to meet their needs within their own administrative areas.

require between 1,623 and 2,467 dpa, an amount far in excess of the overall needs identified in the HNR. There is no persuasive evidence that the housing market would support this scale of building. I consider that simply increasing housing provision in the Plan to these levels would not be an effective way of addressing affordable needs.

24. In the light of these considerations, NLP conclude that full OAN are likely to most reasonably fall with a range of between 744 and 853 dpa. 803 dpa is within the middle of the range and may be seen as an appropriate measure of full OAN. NLP indicate that this may be seen as equivalent to the 780 dpa scenario used to inform the requirement in the Plan.
25. While other projections of housing need, both higher and lower, were put before the Examination I am satisfied that the HNR is a technically competent and robust basis on which to determine the OAN and that the range it has identified has been justified. However, within that the amount of uplift to be applied to the starting point estimate is a matter of judgement. Although the Council's preferred figure of 780 dpa falls within the HNR range it does not flow from its results. The market signals uplift of 20% is a very significant one and there would be a degree of overlap between that and some of the other assumptions. In that context, figures in the upper end of the range would not be appropriate. The middle range figure of 803 dwellings identified by NLP would be almost 30% higher than the 620 dpa starting point.
26. Taking these factors in the round it seems to me that 803 dpa 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. Accordingly, it represents the full OAN for the Plan area. It should be rounded to 800 dpa for the purposes of the Plan - a further 400 dwellings over the Plan period (16,000 in total). I note that the Plan as submitted provides for sites in excess of that figure.

Calculation of the 5-year housing land supply

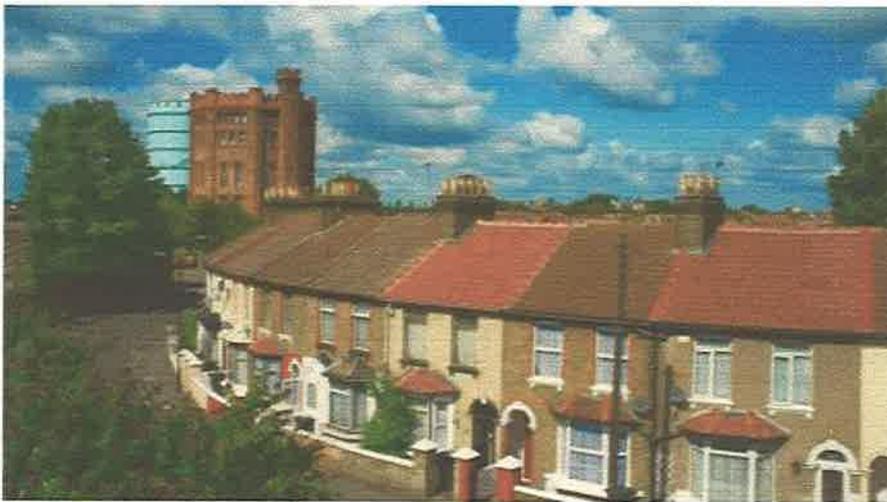
Overall position

27. On submission of the plan the Council calculated that it had 6.4 years supply of housing land. However, in May 2015 the Council and Kent County Council, as highway authority, agreed a position statement concerning the Sturry crossing and relief road. The effect of this would be that a number of the strategic housing allocations could not come forward until the relief road was constructed. Accordingly, taking account of various other adjustments, the Council recalculated the land supply as 5.26 years in its further statement on Main Matter 2 - Housing Strategy. However, following discussions at the hearings the Council revisited its calculation and some of the assumptions. The reworked figure shows about 4.2 years supply against the Council's OAN of 780 dpa and would self-evidently be less against my figure of 800 dpa.

Appendix D - Planning Advisory Service OAN Guidance



Objectively Assessed Need and Housing Targets Technical advice note



Second edition
July 2015

**This note has been prepared for the Planning Advisory Service by
Peter Brett Associates.**

Need versus policy

- 4.2 It is generally accepted that the OAN as its name indicates should be derived from objective analysis of the evidence, to the exclusion of any policy objectives and value judgments; and that evidence should be entirely about need and demand, to the exclusion of any supply-side factors such as physical constraints, policy designations and adverse impacts of development. The excluded factors are 'below the line': they have no bearing on the OAN, but plan-makers should take them into account at a later stage, when translating the OAN into a provision target.
- 4.3 The above principles are primarily based on paragraphs 14 and 47 of the NPPF, paragraph 104 of the PPG (quoted earlier) and the Munton High Court judgment¹. From these documents it is clear that a hard and fast line divides demand-side considerations from supply constraints such as infrastructure or environmental designations. But in other ways the dividing line between objective assessment and policy is less clear.
- 4.4 In particular there are three borderline factors, whose status is uncertain and controversial: future jobs, affordable need and cross-boundary unmet need. The PPG does not resolve the uncertainty, because it does not always make a clear distinction between the OAN and the provision targets ('requirements'). Thus, in discussing how plan-makers should deal with affordable need it refers to 'housing figures', which could mean either, in relation to the role of future jobs and affordable the PPG is similarly ambiguous, with no explicit reference to either need or targets².
- 4.5 On balance, we would suggest that:
- Future jobs belong above the line, because jobs impact on the demand for housing (many people want to live near their workplaces or new job opportunities), independent of any policy considerations. Whilst policy also plays a role, because job growth itself may be policy-led, and also because, as mentioned in the PPG, one of the reasons for locating housing close to jobs is to avoid unsustainable commuting.
 - Affordable housing need is below the line, as a policy consideration. That is because, as discussed earlier, the PPG's affordable need measure is not a constituent of the OAN and the two numbers are not directly comparable. This view has been supported by inspectors, although a recent court judgment casts doubt on it. The issue is discussed further in Chapter 9 below.
 - Cross-boundary unmet need belongs below the line, for two main reasons. One reason for this is that unmet need in neighbouring authorities results from a policy change in neighbouring authorities: if those authorities supply less development land than they did in the past demand in the subject authority will rise above past

¹ City and District Council of St Albans v the Queen (on the application of Husion Properties Limited and Secretary of State for Communities and Local Government and ors, Neutral Citation Number [2013] EWHC 61, 18/30

² The NPPF and PPG generally use 'requirements' to refer to policy targets (what policy requires), as opposed to need or demand (what people or the market require)

³ Reference ID: 25-016-2014(006)

Complications

- 5.22 HMAs made up of whole local authority areas sometimes look very imperfect, because for some authorities the market reality is that different parts of the area are linked to different neighbouring authorities. An example is the district of Stratford-on-Avon, which covers a very large land area. The fine-grained NHPAU geography and further analysis show that the north of the district is well related to the Greater Birmingham HMA and the south to the Coventry and Warwickshire HMA. But a housing needs analysis that splits the district in two would be unmanageable.
- 5.23 A better (though untidy) solution is to include the whole of Stratford district in housing needs assessments for both HMAs; and later when setting targets to bear in mind that both HMAs' competing claims on the district's land supply. Inspectors have often accepted this kind of approach, noting that HMAs overlap, their boundaries are permeable and no market geography is perfect.
- 5.24 As well as having no perfect answer, questions about market geography have no single best answer. Generally there is more than one combination of local authorities that meets both the containment criteria and the common-sense test, especially given that the criteria are minimums, so there is no obvious upper limit to the size of an HMA. In reality of course there is a hierarchy of housing market areas, as the NHPAU geography recognises. Inevitably therefore, HMA definitions involve judgment, including pragmatic judgments about what area is manageable in practice.
- 5.25 Whenever the HMA boundary is drawn, it will look especially imperfect to local authorities on its periphery, because they will generally have close links to areas just beyond the boundary – unless the HMA is bounded by physical obstacles such as the sea or large areas of open countryside.
- 5.26 To illustrate by example.
- 5.27 Figure 5.2 below shows the NHPAU housing market area centred on Birmingham Authorities just beyond the boundary, such as Wyre Forest and Warwick, have strong links with those districts within the HMA which they adjoin, but not with the HMA as a whole.

business-as-usual expectation. This may be the right approach to economic planning, but only on two conditions:

- On the demand side there should be a realistic prospect that the growth aimed for is achievable. Inspectors are rightly unconvinced by purely aspirational job numbers, including in some cases those taken from the LEPs' Strategic Economic Plans
- On the supply side the local planning authorities should face up to the housing implications of that growth.

8.15 In relation to the second point, it is important to avoid unrealistic assumptions on the relationship between housing, population and jobs. A number of housing assessments have been criticised by Inspectors for expecting very fast increases in economic activity rates. Such increases reduce the population growth, and hence number of homes, that is required to support a given number of new jobs. But unrealistic figures put the emerging plan at risk

8.16 Another risky approach is to plan for recalling commuters, so the ratio of workplace jobs to resident workers – and hence to population and number of dwellings – is assumed to rise over the plan period. Like increasing activity rates, this assumption means that more jobs can be accommodated for a given number of dwellings, or a given number of jobs needs fewer dwellings. But the expected shift in commuting should be believable, and acceptable to the other local authorities affected by it. Strategies of recalling commuters should not be adopted unilaterally; they require cross-boundary agreement in line with the Duty to Cooperate.

Appendix E - NLP Technical Report on OAN

E.1 Attached as separate appendix.



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04 APR 2016
BY:

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Name MRS E. E. HANNAH

Address [REDACTED]

Telephone _____

Email _____

[REDACTED]

*Data entered
+ LP support.*

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KS439.

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K5400

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Please pledge your support today.

^{We} support the local plan as proposed by the Council Executive.

DAVID CUTHBERTSON

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KS 44 2

Do you support the Lib Dem campaign to protect our Local Green Belt? SID832

Pledge your support for our Local Plan today

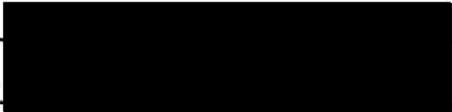
Residents need to respond to the upcoming consultation. The first step is to sign this petition. Without the support of local residents, the proposed Local Plan, which protects our Green Belt and still delivers York's housing needs, might not make it into practice.

Please pledge your support today.

I support the local plan as proposed by the Council Executive.

RECEIVED
04 APR 2018

Name Fiona Maxwell

Address 

Telephone 

Email _____

Return this slip at no cost to:
H&W Lib Dems,
Freepost RRSA-SALE-EUUC, York, YO30 6PQ

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