

BANKS PROPERTY LIMITED

**EXAMINATION OF THE CITY OF YORK LOCAL PLAN
BANKS PROPERTY RESPONSES TO MATTERS, ISSUES AND
QUESTIONS FOR THE EXAMINATION**

MATTER 4: SPATIAL STRATEGY AND SITE SELECTION PROCESS

FILE NOTE

Spatial Strategy

4.1 Is the Spatial Strategy set out in the Plan based on an appropriate and reasonable assessment and justified by robust evidence?

As set out in our previous representations, we do not believe that that the Spatial Strategy is not considered sound as it is not positively prepared, effective or consistent with national policy due to their conflating approach to setting the minimum housing requirement. In short summary, the council is seeking to use the more favourable and up-to-date household projection figures on the one hand and the 'old rules' methodology for calculating OAHN on the other (i.e. prior to the 2018 NPPF revisions).

The Council's previous evidence base, in the form of the GL Hearn Strategic Housing Market Assessment (May 2017 - the SHMA) clearly recommended that, based on their assessment of market signals evidence and some recent Inspectors decisions, the council should include a 10% market signals adjustment to the 867 figure, resulting in a requirement of 953 dwellings per annum.

4.2 Is the approach taken in informing the Spatial Strategy and the distribution of development across the Plan area justified, effective and in accordance with national policy?

As set out in our previous representations and referred to in question 4.1, The City of York will be underdelivering their housing need, which can be deemed ineffective and unjustifiable when recognising there are updated methods for housing calculations that will provide a more realistic requirement. This is then misinforming the Spatial Strategy, particularly Policies SS3, SS4 and SS6 - SS20, which outline specific housing delivery numbers expected during the Plan period.

4.3 Does Policy SS1 provide an appropriate basis for the delivery of sustainable development and growth within the City of York?

Previous representations for Plan confirmed that Policy SS1 is not considered appropriate as it is not positively prepared, effective or consistent with national policy. Policy SS1 sets out 822 dwellings per annum (Proposed Modifications 2021) as a housing requirement across the City of York, which has not been achieved so far during the Plan period from 2017. This suggests that Policy SS1 is not appropriate for sustainable development across the City of York as the goals set out have been unachievable thus far. Some of the five spatial principles set out in Policy SS1 have not been followed when allocating sites, therefore it can be deemed

an inappropriate basis for the delivery of sustainable development and growth in the City of York. For example, there are allocated sites bordering Nationally Significant Nature Conservation sites across the city, which encroaches on their setting, which requires preservation according to Policy SS1. Similarly, new strategic sites that are not close to existing settlements pose a threat of having no access to sustainable modes of transport and a range of services, as set out in Policy SS1. To ensure the Policy is properly followed and achievable across the City of York, the site allocations need reviewing against the five spatial principles within Policy SS1. Without this, sustainable development will be difficult to achieve in the City of York.

4.4 Policy SS1 sets out a spatial principle for sustainable modes of transport and Paragraph 3.12 of the submitted Plan says support will be provided for a pattern of development that favours and facilitates the use of more sustainable transport to minimise the future growth of traffic.

a) How does the plan deliver this?

The Plan has allocated developments across the City of York in a variety of areas from the main City of York to rural villages. Several allocations are in areas where some sustainable transport is accessible, fitting with Policy SS1, whilst others are outside of existing settlements and require new roads to access them. This suggests the Plan is only partially delivering the sustainable transport aim of Policy SS1 because it has not been considered during every allocation. Cycle routes have not been largely considered, and with York having a vast cycle network this shows poor delivery. There are few sites close to the railway station, meaning remaining sites will be heavily reliant on bus services as their form of sustainable transport. Creating new settlements provides the potential to create accessible, sustainable transport, such as new bus routes. However, they can be underused if infrequent, pushing private vehicle use and therefore defeating the objective of sustainable transport.

A greater focus on the delivery of new housing allocations on key arterial routes around the periphery of York City should have been undertaken to ensure the spatial principle relating to sustainable modes of transport would be met

b) What evidence is there that the Spatial Strategy delivers what Paragraph 3.12 of submitted Plan says?

There is little evidence that the Spatial Strategy will not lead to an unconstrained increase in traffic across the City of York. The Transport Topic Paper Update (2019) shows an increase of up to an additional 500 vehicles per hour on the roads around the city by 2032, creating high levels of traffic and increasing journey times on almost every main road throughout York. There has been allocations throughout the Plan that have not considered sites with sustainable transport close by even though Paragraph 3.12 stresses the importance of development that favours sustainable transport. Sustainable transport access needs to be considered more throughout the Plan to reduce increasing traffic levels.

c) Is it the most appropriate strategy when assessed against alternatives?

The Spatial Strategy needs to have placed greater emphasis on allocating sites that have good access to sustainable transport. The council has appeared to place greater weight on heritage matters than sustainable transport in the site selection process

4.5 Is the proposed approach to new development and its location, as outlined by Policy SS1, sufficiently clear within the submitted Plan and is it supported by a robust and up to date evidence base?

The approach to development is outlined in Policy SS1, however the approach is not followed throughout the Plan. There has been no settlement hierarchy submitted in the Plan, therefore there is no clear direction for where the focus for new housing allocations should be located. Several new developments are in the semi-rural areas of York and have limited access to public transport. This suggests that sustainable transport has not been considered in these developments because they are isolated from current transport services and will encourage private vehicle use and therefore enable future traffic growth.

Spatial distribution of development

4.6 Are the (broad) locations for new development the most appropriate locations when considered against all reasonable alternatives?

We believe that there are more appropriate locations for new development than what the plan proposes. As set out in response to questions 4.1-4.5, there are sites on the edge of York City that are inherently more sustainable than other more peripheral sites that should be allocated, such as Malton Road.

4.7 What factors have influenced the distribution of development proposed?

The council appear to have placed greater emphasis on heritage constraints. Large areas close to York have been dismissed regarding heritage and/or forming part of green wedges which when assessed individually do not have any such impact. Such an approach has resulted in the council seeking to allocate land further away from the centre of York in less sustainable locations.

4.8 Are the factors which shape growth, as set out in Section 3 of the Plan, clearly explained, justified and set out and are they supported by robust and up to date evidence?

Although the factors are clearly explained, they are not supported by up to date evidence. The character and setting of York factor is support by the Historic Character and Setting Technical Paper Update, which is from 2013. There has been no updates in the evidence base, so while the evidence may still be appropriate, there has been approved appeals across York that can be deemed to affect the city's character. In comparison, the Open Space and Green Infrastructure Study was updated in 2017, showing that changes were needed in the evidence base for the shape growth factors.

4.9 With regard to the impact of distribution of development on the transport network:

a) What role has the transport appraisal had in influencing the distribution of development?

The transport appraisal appears to have had some influence on the distribution of development. Focusing development along smaller roads closer to the centre of York is resulting in vehicles moving on an average of less than 10 miles per hour during morning and evening rush hours by 2032. In comparison, there are logical sites available along roads that will continue to move at their current speed, such as Malton Road expecting to remain its average speed of 20-30 miles per hour during morning and evening rush hours. In this case, the traffic appraisal has not influenced the distribution of development.

There are numerous housing allocations that are not in the most strategic location for sustainable transport purposes. The Plan shows development of strategic pedestrian and cycleway corridor improvements, which will encourage sustainable transport modes. The housing allocations are all relatively far away from these corridors, meaning the option for sustainable transport here is reduced. Most allocations are also set back from main road routes, which means they also are not as accessible as other sites that have lost their allocation status, such as Malton Road.

b) Is the Council's transport evidence robust and adequately up to date?

The latest update to the transport evidence was published in 2019. In the Transport Topic Paper (2019), the transport modelling section states *'The City of York strategic transport model was last fully upgraded in 2010, and is more than five years old, so any outputs derived from its use may, in the absence of updating / refreshing, have been subjected to challenge. This could result in the local plan being successfully challenged at Examination in Public (EiP).'* The transport model was last updated in July 2016, meaning the evidence is once again more than five years old. Therefore, the strategic transport model accuracy must be questioned.

c) What are the cumulative impacts on the transport network of the spatial distribution of development set out in the plan and are any adverse impacts severe? If so, how has that been addressed?

The Transport Topic Paper Update (2019) shows that the transport network is going to be suffering from extremely high levels of traffic across the City of York by 2032. The A64 and A1237 surrounding York's urban area, where a lot of development has been allocated, will see an increase of over 500 cars per hour during morning and evening peaks, with sections of the roads largely slowing down to speeds as low as 10 miles per hour when both roads have national speed limits. In the city centre, traffic will be standstill from the projections in the Topic Paper, which will have a negative effect on sustainable transport. Access to the train station will be difficult during peak hours, and there will be delays on bus routes where bus lanes are not included. Overall, forecasted travel times are expected to increase across the whole of York.

There has not been enough proposed improvements to the footpath and cycle network across the City of York. Developments have not been focused on these networks which will push more people onto the road network, furthering the traffic issue that is expected. Across all modes of transport, any adverse effects that will come with new developments have not been addressed.

Site selection process

4.11 With regard to the sites proposed for all types of development (i.e. housing and nonhousing):

a) How have the sites been identified, assessed and selected?

All sites submitted by developers were shortlisted through removing sites submitted for specialist development and sites that already have planning permission, amalgamation of smaller, individual sites into larger sites where they were adjacent to each other or overlapping and sustainable location assessments, which looked into environmental assets protection, open space retention, greenfield and high flood risk protection, access to

facilities and services and access to transport. Once the criteria for the sustainable location assessment had reduced the number of sites, the remaining sites underwent a technical officer assessment. All sites that passed the technical assessments were then added to the Preferred Options Plan as development allocations. More sites had their allocations removed between the Preferred Options Plan (June 2013) and the Publication Draft Plan (February 2018).

b) Is the methodology used for each justified?

The sustainable location assessment to assess all sites put forward has several flaws. There has been sites allocated that border Nationally Important Nature Conservation Sites with no buffer to the protected zone which could cause harm to the site and should be rejected on these grounds. Other sites have been rejected for issues such as flooding, which if only covers a small part of a site can often be resolved and would enable more suitable locations for development. The assessments used have varying results across similar sites, therefore they are not justifiable in assessing potential development sites equally.

c) What role has the Sustainability Appraisal had in this process?

d) Have any site size thresholds been applied in the site selection process? If so, what, how and why?

A threshold of 0.2 hectares was set for sites across the City of York. We acknowledge that small sites of such a scale are likely to come forward as windfall sites in the urban area and it is reasonable to exclude them from the site selection process.

4.12 How has the Council taken into account Green Belt issues in the site selection process? In particular:

a) Has the openness of the sites considered, and the degree to which that openness contributes to the fundamental aim of Green Belt policy (preventing urban sprawl by keeping land permanently open), been taken into account?

Sites within the Green Belt have not been properly considered, as there are several site allocations that are within the most open parts of the Green Belt. They are not located near existing settlements and require new roads to gain access, as they are not on the existing road network. In comparison, sites with strong, defensible boundaries, such as Malton Road which are not open or in the wider countryside have been dismissed for less appropriate sites that do not follow the NPPF's Green Belt Policy.

b) Has the degree to which land does or does not serve the purposes of including land in the Green Belt been an influencing factor?

c) Have any reasonable alternative sites been rejected on the basis that the Council considered that it could not demonstrate the 'exceptional circumstances' it considered necessary to justify including the site in the supply? If so, in the light of our views concerning 'exceptional circumstances' (which is set out in our letter dated 12 June 2020 (EX/INS/15)), is that a problem?

4.13 Have any other factors come forward - or steps been taken - since the sites identified in the Plan were selected which would exclude any sites from inclusion in the Plan for any particular reason? If so, what and why?

J Perkins/SJC
25 March 2022

