

YORK LOCAL PLAN

EXAMINATION INTO THE SOUNDNESS OF THE CITY OF YORK LOCAL PLAN

Response to Inspector’s Matters, Issues and Questions

Made on Behalf of Barratt and David Wilson Homes

Matter 5 – Housing Land Supply

Introduction

These responses are made on behalf of Barratt and David Wilson Homes (Yorkshire East), hereafter referred to as our Client. Our Client is the country’s largest housebuilder and has an excellent delivery record nationally and locally in the region.

Our Client has a significant number of land holdings within and around York and has made representations throughout the CYCLP consultation process at all stages. In summary and for clarity the following is a list of our Client’s interests.

Site Address	Site Reference	CYCLP Area	CYCLP 2013 Capacity (BDWH control)	CYCLP 2016 Capacity (BDWH control)
Manor Heath, Copmanthorpe	ST12	1	250	0
Moor Lane, Copmanthorpe	H29	1	65	88
Riverside Gardens, Elvington	SF10	2	0	0
Eastfield Lane, Dunnington	H31	3	75	84
Metcalfe Lane, Osbaldwick	ST7	4	750	35
New Lane, Huntington	ST11	4	360	0
North of Monks Cross	ST8	6	35	35
North of Haxby	ST9	6	375	375
North of Clifton Moor	ST14	6	750	500

The housing land supply overall

5.1 Does Policy SS1, and the Plan as a whole, provide an appropriate policy framework for the delivery of housing over the Plan period? If not, how is this to be addressed?

- 5.1 No. Notwithstanding the issues over the housing requirement, even the figure identified by the Council is unlikely to be delivered during the plan period.
- 5.2 The Councils lack of plan and the impacts historically are well documented both in terms of market and affordable housing. Whilst this plan seeks to resolve these issues, its route through examination has been difficult and the delays have only added to these issues. The Council could and should have reacted to these delays, however they simply keep moving matters on with no resolution.
- 5.3 The plan identifies a housing requirement between 2012-2032, however we know there is a shortfall in 2012-2017 and despite not referenced, we also know that the annual requirement has not been met between the years 2017-2022 and is not anticipated to be met next year ahead of the plans adoption.
- 5.4 This therefore means that in the remaining nine years of the plan, the Council will need to deliver the annual requirement for each year together with the shortfall accumulated between 2012 – 2023.
- 5.5 The Councils lack of plan and the RSS reference to the Green Belt limit the available sites and the low levels of delivery in recent years show the lack of available sites and the lack of windfall sites. In the absence of a plan and allocated sites, the delivery levels in the next few years will remain low until sites are adopted and secure consent.
- 5.6 The only way to ensure the necessary level of homes are delivered is to allocate sufficient sites that can deliver homes in the plan period. Without this, the plan will fail.
- 5.7 Given that the majority of large sites do not have a planning application lodged and taking into account realistic lead in times the main delivery years for the plan are going to be condensed into the last 6-7 years of the plan, putting significant pressure on those sites to deliver. In reality it is unlikely that these sites will be able to deliver the homes necessary to meet the needs of the plan and as such the housing requirement will not be met.
- 5.8 The only way to address this is to provide more allocations to enable more sites to start in parallel and deliver the appropriate level of homes.

5.2 We understand through the latest housing trajectory update [EX/CYC/69] that the sources of housing land supply underpinning the Plan are as follows:

- **8,642 dwellings on allocated new strategic housing sites (ST)**
- **1,703 dwellings on allocated housing sites (H)**

- **1,853 dwellings (commitments – unimplemented permissions as at 1 April 2021)**
- **3,113 dwellings (cumulative completions between 2017-2021)**
- **planning permission or resolution to grant planning permission as at 1 April 2021)**
- **720 dwellings in communal establishments /student accommodation**
- **1,764 dwellings on windfall sites (from 2024/25 – 2032/33 @196 per annum)**

This provides a total housing supply of a minimum of 17,795 dwellings during the Plan period. Is this correct?

5.9 These figures are correct as per the Councils trajectory.

5.3 We note that the windfall allowance per annum has been increased from 169 dwellings per annum in previous housing trajectories (e.g. [EX/CYC/17]) to 196 dwellings per annum in the 2021 Housing Trajectory [CYC/EX/69]. Is this correct? If so, what is the basis and justification for this change in the windfall allowance?

5.10 We cannot find any evidence to support the increased windfall requirement in the plan and evidence that it will deliver at this rate. High windfall rates are common in locations where the Local plan is out of date as the ability to deliver allocations does not exist.

Similarly the evidence supporting the Local Plan shows that there have been a significant number of applications for student accommodation and office to residential conversions, which have slowed in recent years and are not a reliable source moving forwards.

The plan shows the lack of allocated sites within the built up areas. Given the adoption of a new Green belt tightly drawn around existing settlements, the potential for windfall will be significantly restricted and as such the previous number is not considered justified, let alone a higher one.

5.4 Is the estimate of windfall numbers identified by the Plan appropriate and realistic? Is the approach consistent with the Framework? Given the time that has passed since the Plan was submitted, is the identified windfall allowance in the Plan (169 dwellings per annum) still appropriate, realistic and justified?

4.1 As per the previous answer this increased level is not considered justified or realistic.

5.5 Are the suggested rates of planned housing development realistic and achievable when considered in the context of the past completion rates? Where is the evidence to support the approach adopted?

5.11 The Councils Housing Delivery Update shows the level of homes delivered in the last ten years at a significantly lower level than that required in the plan. However, past completion rates in York are not necessarily a good comparison as they have predominantly underdelivered and large parts of the delivery have been student accommodation or office to residential conversions, which provide large delivery rates in a single year but not consistent supply. Given the lack of large scale open market and affordable delivery in recent years, the past delivery rates in the city do not provide a useful guide and their reduced levels are

more an indication of available and deliverable land due to the constraints of the city and its lack of plan.

- 5.12 Given the plan is releasing large areas of land for development, the uplift shown in the trajectory is not necessarily unrealistic and indeed could include more homes if more sites were added.

5.6 Is the housing trajectory update [EX/CYC/69] realistic? In the context of footnote 11 of the NPPF, does it form an appropriate basis for assessing whether sites are deliverable?

- 5.13 Notwithstanding the comments in the previous question regarding the increased delivery rates and the ability of York to deliver more homes than past trends suggest, the trajectory is not realistic. The Council keep updating the trajectory in light of delays to the plan, however this seems to be a generic update simply moving sites along without regard to their status, the likely adoption timetable for the plan, lead in times and build out rates.
- 5.14 Lead in times and build out rates have been discussed at length in a variety of local plan and it is commonly accepted that large sites will require a number of years before they can deliver homes, in some instances requiring between 3-5 years. Similarly the level of homes an individual site can deliver in any one year varies on its size but reasonable assumptions can estimate between 30-100 per annum.
- 5.15 The temptation in developing trajectories is always to reduce the lead in times and increase delivery rates in order to demonstrate that the homes being allocated can be delivered. Similarly when delays occur to the plan, rather than move this on and result in homes being delivered after the plan period, the delivery rates are often increased in order to show greater delivery in a more condensed timescale. This is exactly the case in York.
- 5.16 A prime example which demonstrates all of these points is ST15, land to the west of Elvington Lane. Our client raises no questions regarding the deliverability or suitability of that site and highlighting this example does not question its soundness.
- 5.17 The site is a large strategic site delivering over 3000 homes. Given the scale of the site it is highly likely that it will be subject to an outline planning consent, setting parameters and an overall masterplan, together with key infrastructure. However the homes are likely to be delivered through subsequent reserved matters applications.
- 5.18 The original outline will require an EIA, public consultation and significant technical work, together with an extensive determination process and completion of a s106. Further to this conditions will need to be discharged, reserved matters approved and conditions discharged on that all before work can commence.

- 5.19 Following all of this site preparation work will be required all before homes can start to be delivered. The Councils trajectory shows 35 homes in year one which is considered appropriate but that will require a full year of building post site preparation, which in line with the trajectory will be in two years time (one year from adoption of the plan).
- 5.20 In terms of the build out rates, these increase from 35 in year one to 70 in year two, 105 in year three 140 in year six and 210 in year seven. This is simply unrealistic.
- 5.21 A second example is site ST8, land north of Monks Cross. Again a sound and appropriate site, however it is still pending an appeal decision on an outline application to establish the principle. Following this a reserved matters application will be required, site preparation and the building of 35 homes, in line with the Councils trajectory all in the next 12 months.
- 5.22 Ultimately the trajectory isn't helpful, it is simply seeking to allocate sufficient homes to each year in order to meet a final total. The trajectory should be redrafted taking a sensible approach and any shortfall it will inevitably show dealt with in the plan.

Five-year housing land supply

5.7 What is the five-year housing supply requirement upon adoption of the Plan?

- 5.23 We reserve the right to comment on the Councils response.

5.8 Will the Council be able to demonstrate a five-year housing land supply upon adoption of the Plan?

- 5.24 Based on the trajectory and the optimistic lead in times, particularly for sites with no planning application lodged we do not believe that the Council will be able to demonstrate a five year supply of homes.
- 5.25 The Councils recent delivery rates have all been under the annual requirement. Adding the backlog and a 20% buffer will therefore further increase the level of homes to be required per annum. Similarly, in terms of supply, the Councils recent supply is significantly constrained by the lack of a plan and lack of deliverable sites, therefore the plan is integral to reversing this trend.
- 5.26 The plan however in isolation will not result in a five year supply on adoption as it will release land for homes that will start to deliver in years three, four and five. Other applications have been lodged with the Council, however these have had significant delays, resulted in appeals or are remaining with the Council not being determined.
- 5.27 Ultimately the Council need to quickly support applications, deal with the allocated sites quickly and without delay and seek to increase delivery on those sites and where necessary include new sites to the plan.

5.9 The five-year housing supply, as set out in the latest housing trajectory update [EX/CYC/69], includes an allowance for windfall sites – the aforementioned 196 per annum:

- a) What is the compelling evidence that such sites have consistently become available in the local area and that they will continue to provide a reliable source of supply?**
- b) Is the allowance made realistic, having regard to paragraph 48 of the Framework?**

5.28 Our Client does not believe that there is compelling evidence that this will continue to be the case for the reasons outlined earlier and the allowance is unrealistic.

5.29 As noted on a number of occasions the importance of these issues is even more significant in York than elsewhere. The Councils failure to adopt a plan has had severe impacts on the local population and housing market in terms of availability and affordability. Given past performance, the opportunities that monitoring and reviews provide other authorities are unrealistic and if an increase in windfall is to be relied upon it should be carefully examined and justified rather than being a way of balancing the trajectory.

5.10 Does the five-year housing land supply position, as set out in the updated Housing Trajectory 2021 [EX/CYC/69], present the most up-to-date position? Is it consistent with all other remaining up-to-date housing evidence? If not, how is this to be addressed?

5.30 We reserve the right to comment further at the examination once we have seen the Councils response.

5.11 Paragraph 5.9 of the submitted Plan identifies that the Council accepts that there has been a persistent under delivery of housing as defined by the NPPF. As such, does the submitted Plan, and any subsequent submitted evidence on meeting housing need and supply, take into account the requirement for a 20% buffer to be applied to the housing supply? Has this buffer been applied to any subsequent update of evidence or proposed modification to the Plan identified?

5.31 We await the Councils response on this, however we do note that the Councils Housing Delivery test requires amongst other things a 20% buffer so this should be added to all housing figures.

5.12 Overall, is there a supply of specific deliverable sites sufficient to provide five years' worth of housing, with an appropriate buffer (moved forward from later in the Plan) to ensure choice and competition in the market for land?

5.32 As per our previous responses, we do not believe this to be the case.