



Quod

**STATEMENT IN
RESPONSE TO
INSPECTORS' MATTERS,
ISSUES AND QUESTION
TO THE EXAMINATION OF
THE YORK LOCAL PLAN
2017-2033**

Phase 3 Hearings

Matter 1 – Affordable Housing

JULY 2022

LANGWITH DEVELOPMENT PARTNERSHIP LTD

PARTICIPANT REF 378

Q70385

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1 Introduction

- 1.1 Langwith Development Partnership (LDP1) is the principal landholder of the land proposed to be allocated under Policy ST15, which is a strategic allocation (Policy SS13), in the draft City of York Local Plan (“Local Plan”).
- 1.2 Delivering a new sustainable garden village in the south east of the City is a key component of the Local Plan’s spatial strategy for housing delivery. The allocation of a new garden village in this part of the City is based on sound and sustainable planning principles. A new settlement is necessary, sustainable and appropriate in this part of York if the City of York Council (CYC) are to meet their housing needs sustainably. Planning for the delivery of a new settlement in south east York is supported by Homes England².
- 1.3 LDP have made representations to each of the relevant stages of the Local Plan’s preparation (Regulation 18, Regulation 19 and the more recent Modifications to the Regulation 19 Plan) ³ and appeared at the Stage 1 and 2 Hearing Sessions in December 2019 and May 2022 respectively.
- 1.4 LDP have demonstrated throughout the Local Plan process that the Local Plan’s spatial strategy, which is in part based on delivering a new garden village in the south east of the City, is sound in principle.
- 1.5 LDP’s Representations have been informed by their view that the draft Local Plan’s soundness has not been evidenced particularly in respect of housing numbers, transportation, biodiversity, deliverability (viability notably) and transportation.

¹ Langwith Development Partnership Ltd (LDP) is a joint venture formed by Sandby (York) Ltd and the Caddick Development Ltd who, along with A1 Haulage, control the land required to deliver the new garden village known as ST15. They control land in the south east part of the City, to the north of Elvington (south of the A64). Both parties, have jointly, and individually, been participants in the preparation of the City of York Local Plan (the Local Plan) for over six years.

² Homes England have awarded CYC various (3x) funding streams, including recently under their Garden Communities Capacity Fund to assist in the formulation of their evidence base to support the delivery of a new garden village in south east York.

³ Representations were submitted by LDP (or companies that constitute LDP), including those (i) in September 2016 to the City of York Local Plan – Preferred Sites Consultation (June 2016), (ii) the later submission of a Site Promotion Document (Quod) in October 2017, followed by (iii) representations (in March 2018) to the City of York Local Plan - Publication Draft (February 2018 [\(CD014g\)](#)), (iv) representations to the York Local Plan Proposed Modifications (June 2019) and associated Background Documents, in July 2019 [\(EX/CYC/21b – PMSID378\)](#) and (v) the Proposed Modifications and Evidence Base consultation in May 2021 [\(EX/CYC/66e – PMSID378i – SID378xvii\)](#).

- 1.6 Throughout the process and especially since the Plan was submitted and the examination process began, LDP has been seeking to collaborate with CYC to ensure that CYC commission relevant parts of the evidence base necessary to demonstrate the soundness of the plan generally (for example housing numbers, transport modelling and PT accessibility, and education need to be considered across City) as well as in relation to ST15 specifically, to determine whether ST15 can be proven to be sound, or whether Langwith (which is the alternative form of the new garden village promoted by LDP at the Regulation 19 stage in June 2019) should form an alternative allocation, or whether the matter should be addressed under a Broad Location for Growth (BLG) as referenced in LDP's Statements to Phase 2 Hearings.
- 1.7 In preparing this Hearing Statement, LDP and CYC have reached a high level of agreement on the planning evidence supporting ST15, and LDP consider that it can be made sound, subject to the following key matters (including further Modifications to the Local Plan) as outlined in this Statement:
- 1.7.1 An acceptance that a second point of access (which would enable ST15 to deliver housing completions as envisaged in the CYC housing trajectory) from Elvington Lane to the new Garden Village is an essential pre-requisite of the allocation's successful delivery.
 - 1.7.2 Agreement as to the level of highways works required at the outset to facilitate delivery of homes and public transport both at and along Elvington Lane together with offsite works south of the Grimston Bar interchange. These will result in the allocation being viable (without it the delivery of ST15 is not viable), by helping to achieve early and efficient delivery of ST15.
 - 1.7.3 Policy recognition that circa 1,000 homes can be delivered off Elvington Lane prior to completion of a new GSJ on the A64 and the associated western access to ST15. The precise number will be established and agreed with CYC and National Highways as part of a transport assessment submitted at the planning application stage.
 - 1.7.4 Broad agreement on the location (and form) of the GSJ with its detailed design and associated landscape led mitigation to be considered at the planning application stage. CYC and LDP broadly agree the cost of providing the GSJ.
 - 1.7.5 ST15 is of a size that can accommodate a minimum of 3,339 homes, along with the other infrastructure required to deliver a sustainable community – see the masterplan and land budget at **Appendix 1**.
 - 1.7.6 The biodiversity implications of the allocation, including the effects on the SINC and achieving an appropriate level of biodiversity net gain (BNG), can be addressed appropriately at the planning application stage and compensation to offset the loss of SINC should be implemented in the planting season prior to the commencement of ST15, rather than five years in advance as the draft Local Plan currently suggests.

- 1.7.8 LDP consider ST15 alone is unlikely to generate sufficient additional secondary school places to support and sustain a new secondary school. However, it is agreed that potential secondary provision for ST15 should be embedded in the Local Plan now for soundness, as explained later in this Statement. As there is insufficient land within the ST15 allocation for a secondary school campus, this should be provided on land adjacent to the boundary of ST15, as land allocated in the Plan specifically for a future secondary school.
 - 1.7.9 Subject to further highways modelling work by CYC, as part of the CYC engagement with National Highways, which will identify whether mitigation may be necessary at the A64/Fulford interchange to accommodate current traffic levels and other planned development which precedes ST15, there is appropriate evidence to demonstrate that ST15 can be accommodated on the local and strategic road network without severe residual cumulative impacts, let alone any unacceptable harm to the highway network.
 - 1.7.10 Opportunities for sustainable transport modes will be masterplanned and incorporated in travel planning as part of a future planning application, to reduce private car use and maximise modal shift to public transport, walking and cycling.
 - 1.7.11 The infrastructure required to implement and sustain the Garden Village is viable and deliverable.
 - 1.7.12 Based on agreement on the eastern access from Elvington Lane and associated highway improvements, adoption of the York Local Plan next year and a commitment from CYC to planning resources to facilitate the making and determination of a hybrid planning application, ST15 could be capable of delivering new homes from late in the year 2026/2027.
- 1.8 In light of the above LDP and CYC are preparing a Statement of Common Ground (SoCG) dealing with the following matters:
 - 1.8.1 Sustainable transport.
 - 1.8.2 Education.
 - 1.8.3 Biodiversity.
 - 1.8.4 Housing Delivery (trajectory).
 - 1.8.5 Viability.
 - 1.8.6 Requisite proposed modifications to the Local Plan.
 - 1.9 A separate SOCG on highways is being agreed between CYC, LDP, A1 Haulage and National Highways.

- 1.10 This Hearing Statement (and others in respect of Matters 2 and 3 of the Third Stage of Hearings) is not specifically concerned with the details of the allocation ST15. Matter 7 of the Stage 3 Hearings is of relevance to the strategic allocation of a new garden village in this part of the City, and our Hearing Statement on Matter 7 deals with site specific matters relevant to Policy SS13 (Allocation ST15).
- 1.11 This Statement deals with the various Questions raised under Matter 1 relating to Affordable Housing.

2 Affordable Housing

- 2.1 LDP's Representations made to the Local Plan are, in part, concerned with affordable housing issues and, most notably, the potential delivery of new affordable homes at the new Garden Village proposed on land to the West of Elvington Lane.
- 2.2 It is demonstrated in those Representations that a new Garden Village in this location is capable of delivering a significant level of new affordable homes³. It is demonstrated in LDP's delivery trajectory at **Appendix 2** that the following scale of new homes (and separately affordable homes) can be delivered during the Plan period, the five year period thereafter, and on completion of the allocation:
 - 2.2.1 Delivery during the Plan Period – 1,140 homes. (342 affordable housing)
 - 2.2.2 Five years post Plan Period – 1,160 homes (348 affordable homes).
 - 2.2.3 Lifetime of the delivery of the Garden Village – 3,339 homes (of which 1,002 homes would be affordable in total).
- 2.3 The above is based upon a minimum delivery of 3,339 homes over the delivery period of ST15, and at a rate of 30% which is considered to be a viable affordable housing delivery rate⁴.
- 2.4 NPPF 2012 recognises that Local Plans should meet "*in full their objectively assessed needs for market and affordable housing*"⁵.
- 2.5 The NPPF also requires a housing trajectory for affordable housing and an implementation strategy that describes how the Council will maintain delivery of housing land to meet their housing targets⁶.
- 2.6 In summary, the NPPF 2012 requires Local Authorities to, first, identify their affordable housing need, secondly seek to plan for it, and finally to set up an implementation strategy to maintain delivery of such housing to meet their target.

Question 1.1: What is the need for affordable housing?

- 2.7 The need for affordable housing is addressed in CYC's Strategy Housing Market Assessment (June 2016) ("SHMA")⁷.

⁴LDP Hearing Statement re Matter 7.

⁵ Paragraph 47, bullet 1 of the NPPF 2012.

⁶ Paragraph 47, bullet 4 of the NPPF 2012.

⁷ Inquiry document [SD051](#).

- 2.8 LDP do not comment on the efficacy of the affordable housing analysis in the SHMA but note that during the period analysed, Table 34 of the SHMA identifies the estimated net annual level of 573 affordable homes per annum, ie, almost 12,000 homes during the 20 year period assessed (2012-2032). This represents circa 70% of the total number of homes proposed to be delivered under the Plan, per annum.
- 2.9 This assessment in the SHMA was based on a base date of 2014 (para 6.5) and that there can be no doubt that affordability ratios in York have worsened, as reported to the Stage2 Hearing Sessions. The latest HDT results point to a continued failure to deliver sufficient housing which will negatively impact upon the delivery of affordable housing.
- 2.10 Table 7 of the SHMA Addendum identified 28% of affordable housing needed to be 3 beds or more, with 34% 2 beds.
- 2.11 SD050 noted there was clearly an affordable housing issues in the City with under delivery of affordable housing. LDP's Matter 3 statement notes the high level of PBSA that has been delivered and counted towards housing delivery. None of this has delivered affordable housing.
- 2.12 It is the case, as has been presented to the Stage 2 Hearing Sessions (Matter 2), notably, H2/P2/M2/OAHN/18, that the affordability of homes in York has continued to worsen and that, as a consequence, it can be expected that the affordable homes need is greater than that set out in the SHMA.
- 2.13 At 2.19 of H2/P2/M2/OAHN/18 LDP urged that a 20% buffer be added to the OAHN to reflect affordability issues.

Question 1.2: Does the provision for affordable housing in the Plan properly and pragmatically reflect that need?

- 2.14 The affordable housing policy (Policy H10) of the Regulation 19 Plan seeks to provide affordable housing at varying rates, depending on a range of site thresholds (Table 5.4 of the Regulation 19 Local Plan) based on a 2010 viability study. The maximum target for affordable housing on new sites is 30% and reducing as low as 2% on the broad range of site thresholds in Table 5.4.
- 2.15 It is clear that in light of worsening housing affordability, the Local Plan is not making a proper or pragmatic upwards adjustment to reflect the need. It is disappointing that none of the trajectories published in the June 2019 Proposed Modifications PM20a-PM21a include an assessment of affordable housing. A more pragmatic approach would include an uplift to ensure more affordable housing is delivered across both the plan period to 2033 and the period beyond.

Question 1.3: Should the housing requirement be uplifted to reflect the need for affordable housing?

- 2.16 On the basis of the matters outlined above, there is a strong and clear case for the Plan to address this need by making a pragmatic upward adjustment to the total housing target, which is currently unaccounted in the Local Plan's housing required. We stand by our earlier suggestion of a 20% uplift in our Hearing Statements to Stage 2 Hearing Sessions.

2.17 We also consider that the Local Plan should clearly prioritise the provision of affordable housing over for example education contributions in the cases where it is necessary to make such a choice to achieve maximum affordable housing.

Question 1.4: What would be the effect of such an uplift?

2.18 If the uplift was achieved with increased densities across allocated greenfield sites, particularly ST15, the effect would be likely to be positive overall, by ensuring the Plan better meets the needs of housing throughout the City, reducing the need for in commuting (from those persons who work or study) in the City, who have to live outside the City. Furthermore, any such uplift would also have social benefits and economic benefits, by meeting the sectoral needs of those communities who are in need of housing but cannot afford open market housing or private rental homes, the costs of both having been increased by constrained supply.

2.19 Uplifting the housing requirement, to meet the presently unmet (and what will remain unmet and increase over time) affordable housing need, means that major greenfield sites such as ST15 are fundamental to helping contribute towards affordable housing needs, given they are the allocations that deliver the greatest proportion (and consequently number) of affordable homes.

Question 1.5: Is Policy H10 soundly based and in accordance with national policy?

2.20 LDP do not comment on the proportion (%) or the viability of delivery on the various site thresholds shown in the Plan at Table 5.4, nor do we comment on the remainder of the Policy.

2.21 LDP, however, note that the affordable homes policy does not take account of the Build to Rent (BtR) tenure. Given that BtR has different levels of viability to open market housing, LDP suggest that a separate BtR policy on affordable homes is introduced into the Local Plan, albeit it is recognised that this approach was not advocated in the NPPF 2012 under which this Local Plan is being determined.

Question 1.6: Is the approach to OSFC a reasonable one?

2.22 LDP do not comment on this matter in this Hearing Statement but retain the right to partake in any discussion on this issue.

Question 1.7: Will the alternative source of supply (in Policy GB4) make any material difference in terms of supply?

2.23 LDP do not comment on this matter in this Hearing Statement but retain the right to partake in any discussion on this issue.



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Tim Waring

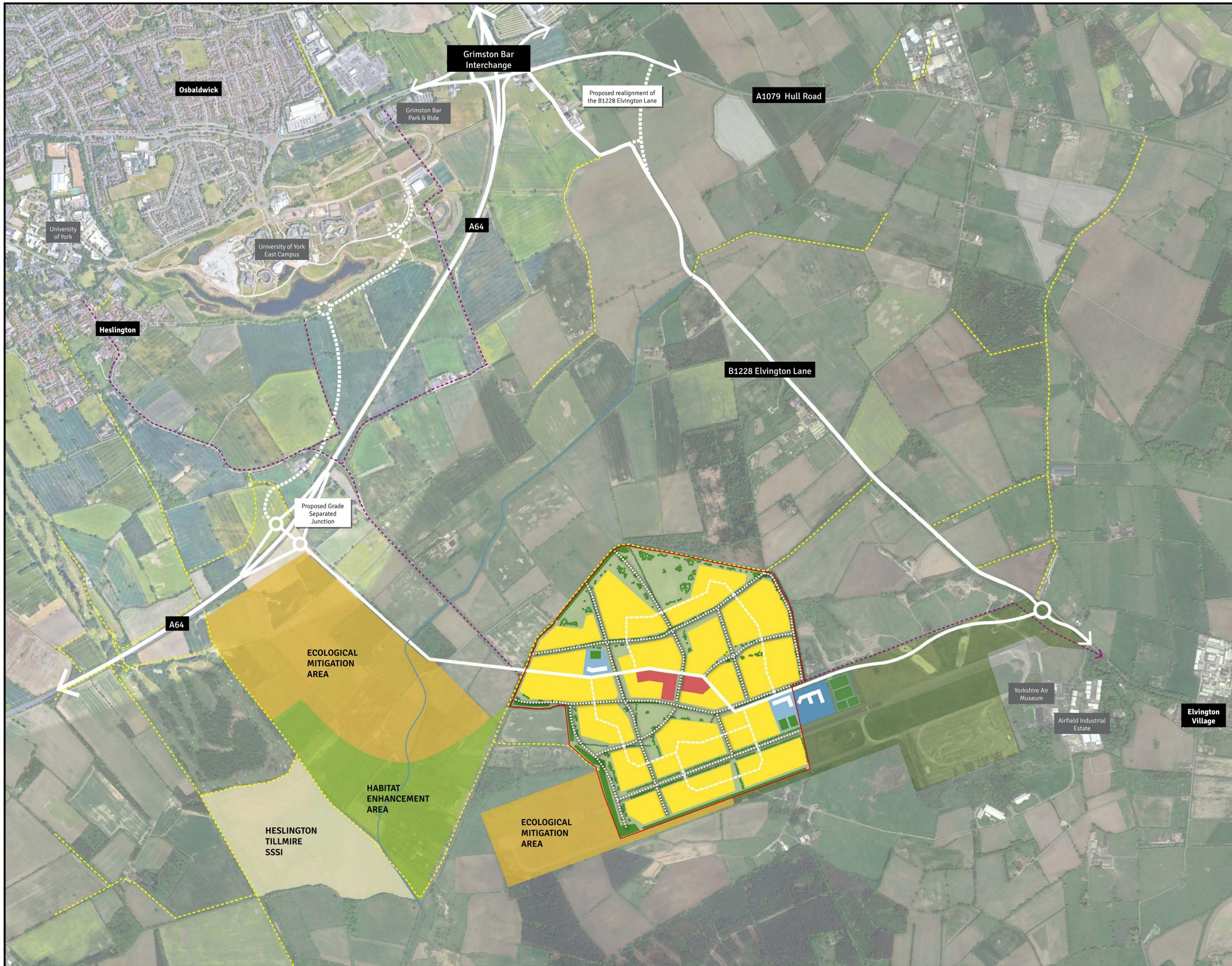
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Appendix 1

MASTERPLAN



Legend

- Site Boundary ST15
167 ha
- Residential Development
90.7 ha @35dph = 3,175 homes
- Mixed Use Local Centre (retail, community, employment, residential) - 3 ha = 164 homes
- Primary School (2 form and 3 form)
1.7 ha and 2.5 ha
- Open Space
66.2 ha (40%)
- Existing Trees
- Proposed Trees

- Secondary School (750 pupils)
Allocated site for Secondary School outwith ST15 and removed from Greenbelt = 3.6 ha (750 places) /
- Indicative land outwith ST15 for playing pitches but retained within greenbelt = 2.6 ha

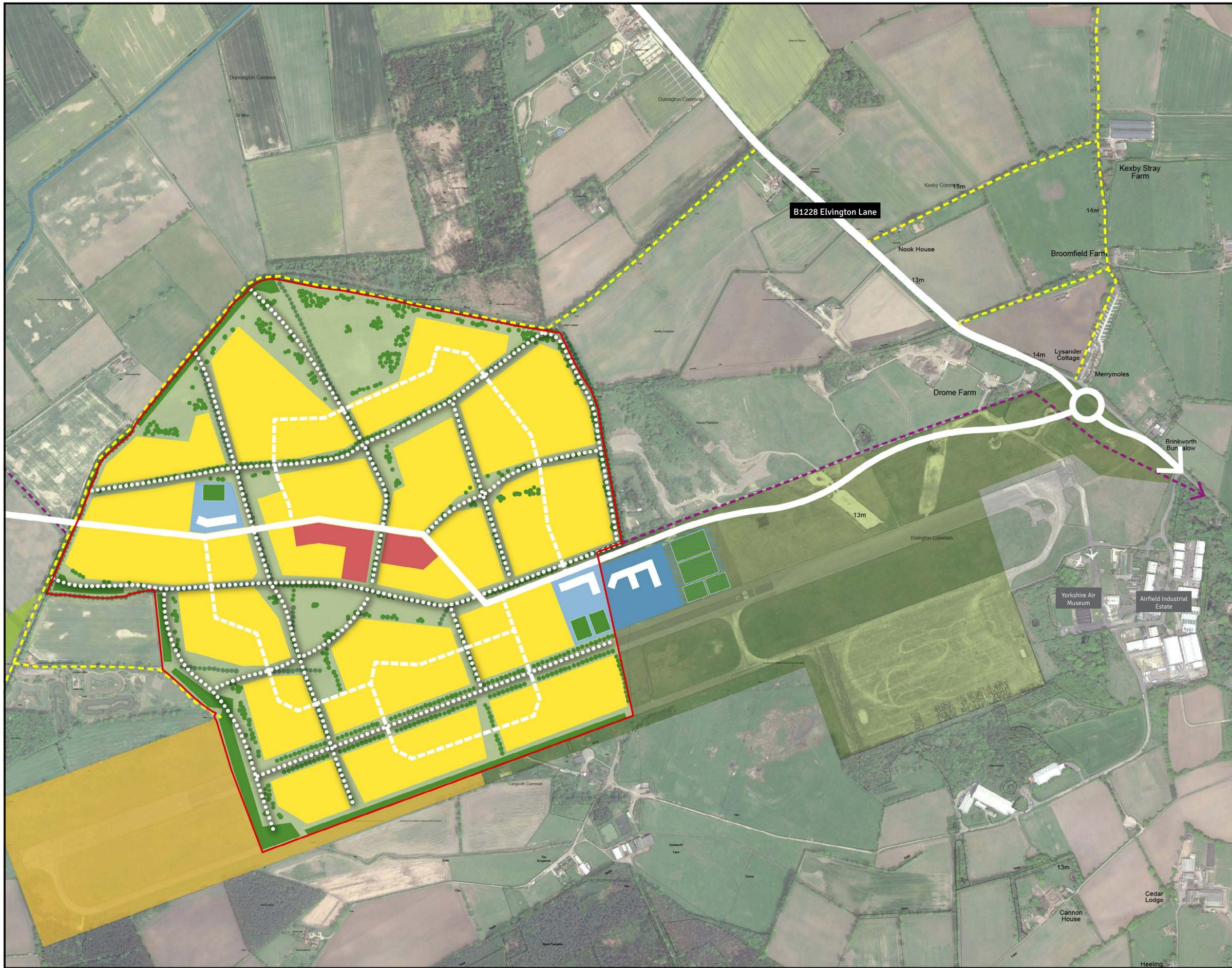
- Existing Public Right of Way
- Improved connectivity and opportunities for access to the University of York, existing settlements and wider established networks of footpaths, including Minster Way (retaining vehicular access for residents only)

Project
Land West of Elvington Lane (ST15)
 York

Drawing Title
Masterplan Context Plan

Date 04.07.22	Scale N.T.S.	Drawn by DJ	Check by MW
Project No 32360	Drawing No ind02-02	Revision	F





Legend

- Site Boundary ST15
167 ha
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Project
Land West of Elvington Lane (ST15)
 York
 Drawing Title
Concept Masterplan

Date 04.07.22	Scale 1:5000@A1	Drawn by DJ	Check by MW
Project No 32360	Drawing No ind02-01	Revision	F

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Appendix 2

LDP'S DELIVERY TRAJECTORY
