



Quod

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

Phase 3 Hearings

Matter 3 – Student 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 1 and 2 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 3 relating to Student Housing.

2 Student Housing

- 2.1 Evidence was presented and debated at the Stage 2 Hearing Sessions on the significant delivery of Purpose-Built Student Accommodation (PBSA) within the City over the recent past, and how that made up a significant proportion of new housing delivery. This was demonstrated in the historic timeline data on housing delivery⁴ and the comments of the representative of the York Labour Party who advised at recent Planning Committees, all applications for housing were for PBSA.
- 2.2 As a consequence of the above, housing delivery in the recent past has been tilted very firmly in favour of student accommodation, and that in the pipeline from recent planning applications is similarly so. This issue was made by LDP at the Stage 2 Hearing Sessions on Matter 2 and 4.

Question 3.1: What is the need for student housing?

- 2.3 There is no evidence as part of this Local Plan Examination which addresses the current extent of PBSA, plus pipeline permissions as well as the current levels of HMOs deployed for student accommodation.
- 2.4 There is little if any work assessing projected need for student housing and, notably, the Local Plan (Policy H7) defers the need to a bespoke analysis as part of any planning application.
- 2.5 It is a flaw in the Local Plan's evidence base that there is no such assessment of current or future demographic market trends or assessment of the needs of students. The NPPF 2012 is clear that planning for housing should encompass all groups in the community and they should be part of the assessment of need⁵.
- 2.6 It is notable in the more recent NPPF (2021) and PPG that there is express recognition that the inclusion of student housing in the overall housing need assessment should not be automatic and is only accountable in such cases where there is a demonstrable release of wider traditional housing, or it allows general housing market to remain in such use⁶.
- 2.7 It is clear that no such evidence on need has been taken into account. Consequently, there is sound planning reason why as an absolute minimum the future delivery of student housing should not contribute towards the overall housing need without such evidence. Accordingly, the pragmatic approach at this juncture and to avoid further delay in the local plan process would, and should, be to exclude PBSA from contributing to the housing requirement in the Local Plan going forward.
- 2.8 The exclusion of any sectoral assessment of student housing need and the delivery of student housing would indicate that the current housing need figure adopted in the emerging Local Plan (822dpa) should be increased.

⁴ [EX/CYC/76](#).

⁵ Paragraph 50, bullet 1 of the NPPF.

⁶ PPG – Paragraph: 034 reference ID: 68-034-20190722 and PMSID378i-xvii

2.9 CYC's reliance on a significant proportion of their past housing delivery on student accommodation will suppress the delivery of traditional housing, as well as affordable housing, given that affordable is housing not required by Local Plan policy as part of student housing development. Reliance on the delivery of student housing to make up the housing delivery in the City will further suppress the delivery of both market and affordable housing (see LDP's representations to Matter 1 of the Stage 3 Hearings).

2.10 The Plan should be transparent and avoid this possibility. Consideration could also be given to insisting that allocated housing sites come forward for C3 uses only and not PBSA. Without this approach there is a risk that future allocated housing sites are taken up by PBSAs.

Question 3.2: Is the general approach of the Plan to student housing justified?

2.11 LDP raise no further response to this question, other than what is noted in response to Q3.1 above but wish to retain the right to partake in the Examination on this matter.

Question 3.3: Is Policy H7 reasonable?

2.12 LDP raise no response to this question but wish to retain the right to partake in the Examination on this matter.

Question 3.4: Will it adequately address the need for student housing?

2.13 LDP raise no response to this question but wish to retain the right to partake in the Examination on this matter, other than to note at this point that as the need for student housing has not been assessed, it cannot be concluded that Policy adequately addresses the need for student housing. We would, therefore, expect and anticipate a commitment from the Universities and Colleges and CYC to work together to inform such a view review, in a forthcoming review of the Local Plan, once it has been adopted.

Question 3.5: Is allocation SH1 soundly based and sufficient?

2.14 LDP raise no response to this question but wish to retain the right to partake in the Examination on this matter.

Question 3.6: Is the manner in which Policy H8 approaches HMOs justified?

2.15 LDP raise no response to this question but wish to retain the right to partake in the Examination on this matter.



Quod

Tim Waring

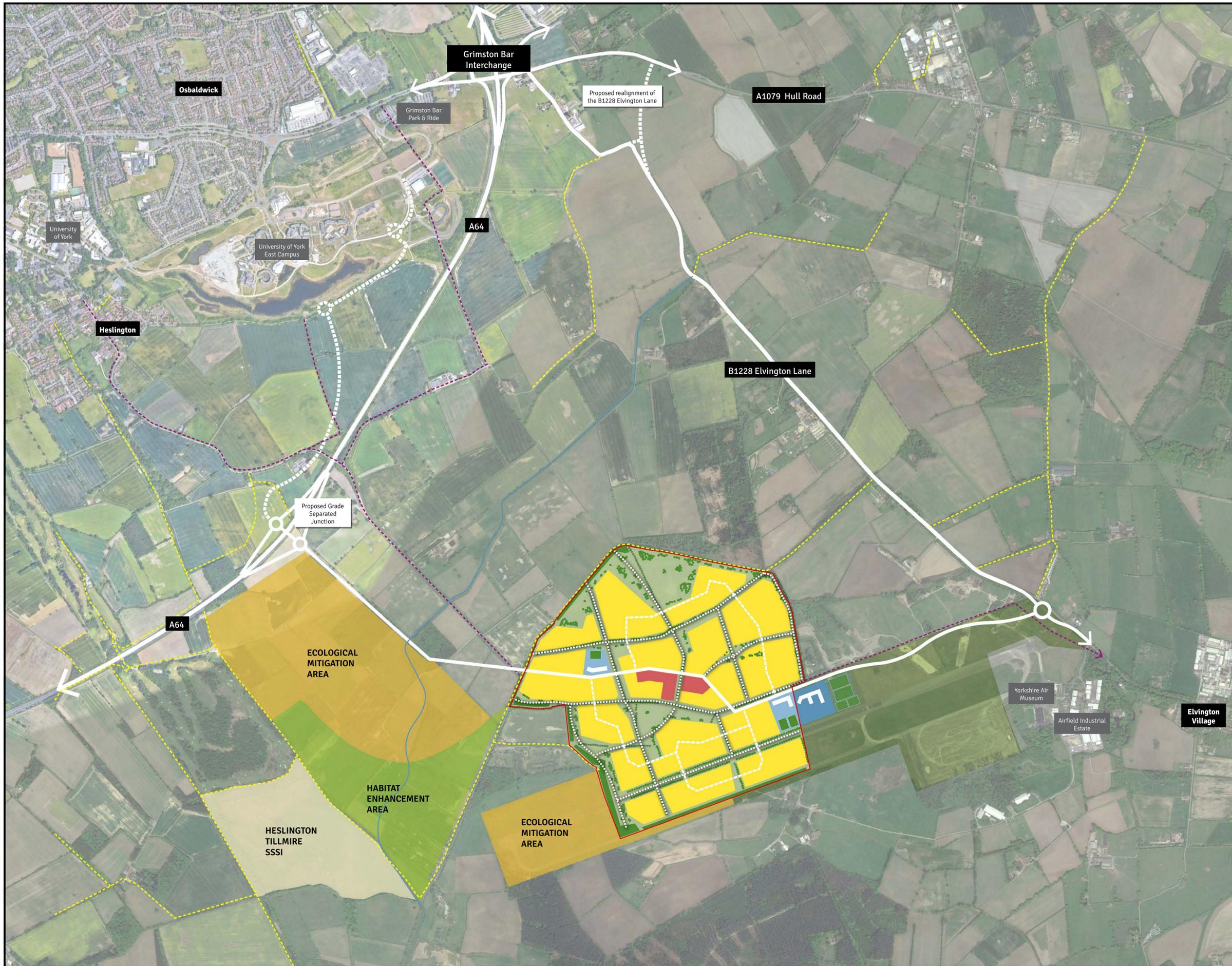
Tim.waring@quod.com
0113 245 1243

Capitol Bond Court
Leeds
LS1 5SP



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)

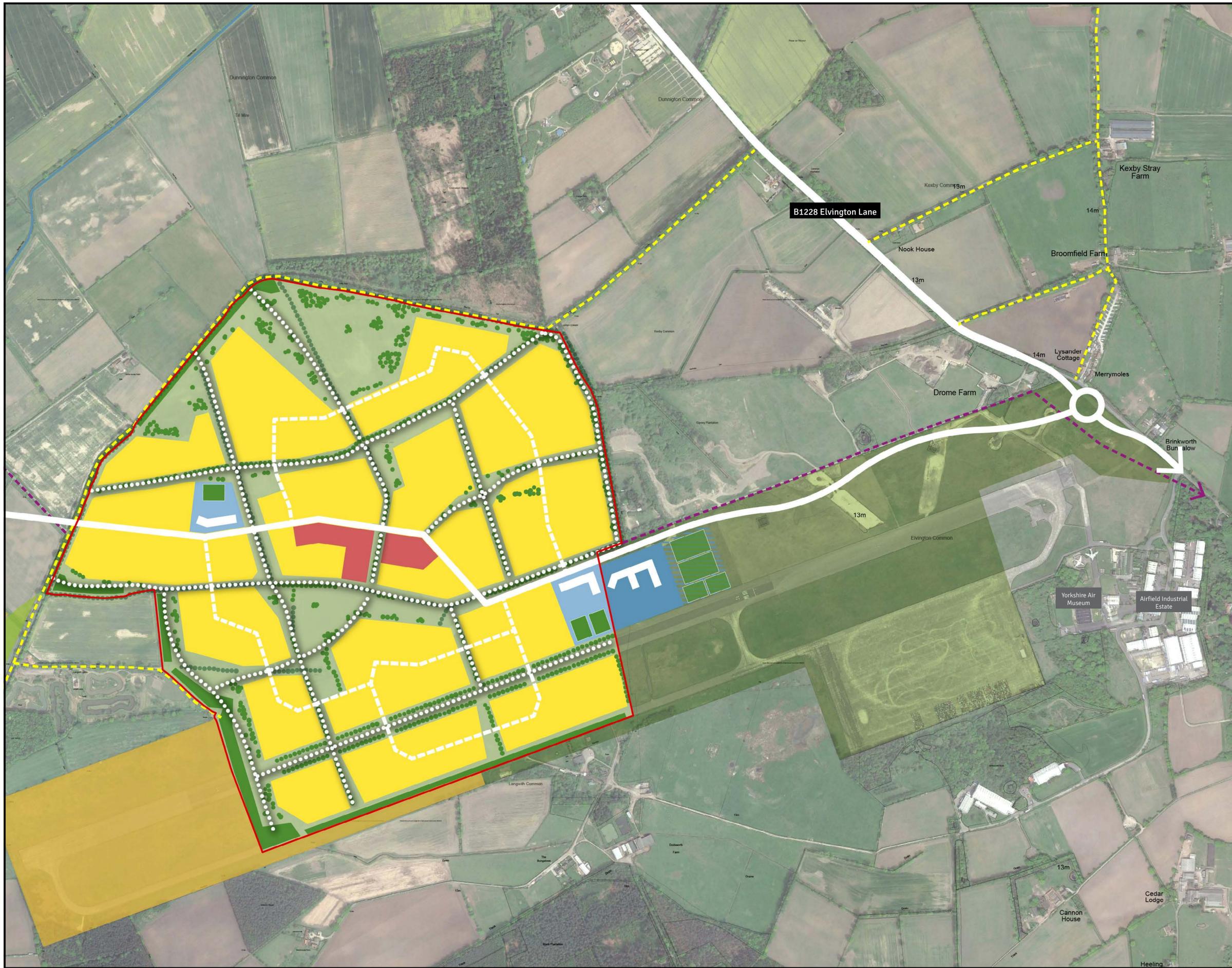
Project
Land West of Elvington Lane (ST15)
 York
 Drawing Title
Masterplan Context Plan

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



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Legend

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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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