

**YORK LOCAL PLAN EXAMINATION**

**PHASE 3 - MATTER 4**

**STRATEGIC SITE ALLOCATION SITE REF. ST7  
LAND EAST OF METCALFE LANE, OSBALDWICK, YORK**

**TW FIELDS**

**INTRODUCTION**

- 1.1 This hearing statement is written on behalf of TW Fields in **support** of York Local Plan strategic site allocation Ref. ST7 Land East of Metcalfe Lane.
- 1.2 TW Fields are one of three developers (along with Taylor Wimpey and Barratt Developments plc) promoting the delivery of the strategic site allocation Land to the East of Metcalfe Lane (Ref. ST7). The three developers are working in collaboration to promote the allocation of the site. This statement should be read alongside our previous submissions to the Local Plan, and those most recently made on behalf of the consortium dated June 2021.
- 1.3 Land to the East of Metcalfe Lane, Osbaldwick is identified as a strategic allocation in the submitted York Local Plan (ST7) to deliver a new sustainable development of a minimum of 845 new homes, alongside the delivery of community infrastructure.
- 1.4 The site is strategically located adjacent to the east of the existing urban edge of the Main Urban Area of York. The site is located within proximity of the existing settlement areas of Heworth, Meadlands and Osbaldwick which are all located within the Main Urban Area of the City. The site is located within the boundary of the Outer York Ring Road (A64).
- 1.5 The site is situated in a suitable and highly sustainable location in respect of connectivity to existing jobs and services within the Main Urban Area of the City. Importantly, there are no technical or environmental (built and natural) constraints that would preclude the development of the site.
- 1.6 The Osbaldwick site will make a significant contribution to meeting the City's housing needs over the emerging Local Plan period.
- 1.7 The Local Plan supports a development of 845 homes at the site, alongside necessary social infrastructure. Whilst the Developers support the principle of this allocation, they consider that the defined boundary is unsound and support an alternative slightly larger scheme, which they consider to be a more appropriate strategy for the development of the site in the context of the guidance presented in NPPF 2012.
- 1.8 In making representations to the Local Plan the Developers have presented potential alternative development options to the Council associated with a new Garden Village of either 845 homes, 975 homes or 1,225 homes. The final resolution of the precise boundary of the new settlement will be determined following Phase 3 of the examination of the Local Plan.
- 1.9 Following a review of the Proposed Modifications to the Local Plan and the amended Evidence Base documents, the developer's stance has not changed. The proposed detailed boundaries of the site allocation should be expanded. The reasoning for which is provided within this and previous submissions to the City of York Council.

- 1.10 Notwithstanding the above, it remains the developer's intention to collaborate with the Council to agree a Statement of Common Ground ahead of the Phase 3 hearing sessions. An update on this work is provided below. A Statement of Common Ground was of course previously agreed for the Phase 2 hearing sessions, and thus we fully expect that one will be agreed ahead of the Phase 3 hearing sessions.
- 1.11 Masterplans presenting each of the development options proposed by the developers have been prepared and were enclosed with our Phase 1 hearing statements and are enclosed again with this statement for ease of reference. The masterplans deliver each of the key land-use policy aspirations required by Policy SS9 of the Local Plan and identifies the following key elements: -
- The proposals will deliver substantial community infrastructure including a village centre public open space, allotments, and recreational facilities.
  - Whilst the site currently comprises open land, its boundaries will be clearly well-defined, robust, and enduring and have the ability to contain development within a framework of settlement, vegetation cover and landform.
  - Vehicular access will be taken from Murton Way, Stockton Lane & Bad Bargain Lane. Preferential walking and cycling routes are provided throughout the site to deliver direct routes which are logical and well-integrated to encourage use. Bus penetration routes will be provided through the site also.
  - Key views of York Minster and the character of Millennium Way and Osbaldwick Conservation Area will be preserved through sensitive master planning.
  - Ecological mitigation will be provided through the retention of existing features. Biodiversity value will also be substantially enhanced through the provision of new landscape planting and Sustainable Urban Drainage Systems. The indicative route of the access road from Osbaldwick Link Road previously contained a SINC, however, the ecological value of this area of the site has now been lost due to recent engineering works undertaken in this area by 3<sup>rd</sup> parties. The developers have additional land within their control adjoining their three site options and these areas can be used for further mitigation or to enhance Biodiversity Net Gain.
  - Public open space will be distributed evenly throughout the site allowing easy access for all future residents of the development. Amenity space which has been carefully considered in terms of its position both in relation to its accessibility and usability and also in respect of its visual impact and sensitivity to its surroundings.
  - The development proposals replicate the historical development patterns of the City in respect of the formation of new development located inside of the Outer York Ring Road.
- 1.12 This statement seeks to respond to **Matter 4** of Phase 3 of the York Local Plan Examination in Public. For brevity, where possible we refer to our previously submitted Phase 1 and Phase 2 hearing statements, and to our representations to the Council's Proposed Modification & Evidence Base consultation.
- 1.13 We respond below to each of the Inspector's specific questions in respect of the site.

***IS THE ALLOCATION AND ASSOCIATED POLICY SS9 RELATING TO ST7 SOUNDLY BASED?***

- 2.1 The allocation of the site is soundly based.

- 2.2 As we have stated previously, the site has been identified as strategic housing site allocation ST7 within different iterations of the City of York Local Plan and its accompanying Sustainability Appraisal since June 2013. At that time, the Preferred Options Local Plan identified the site as having the potential to deliver an Urban Extension development of 1,800 homes. The number of homes to be provided at the site was retained at 1,800 homes within the now withdrawn City of York Publication Draft Local Plan (October 2014).
- 2.3 Prior to the withdrawal of the previous Publication Draft Local Plan (October 2014), the developers submitted technical assessments associated with the delivery of the previously proposed site allocation boundary and the delivery of 1,800 homes at the site. This work was considered as part of the Council's Sustainability Appraisal at that time. The package of documents included: -
- Masterplanning & Design Vision Document – Johnson Brook
  - Landscape & Visual Impact Assessment – H2 Landscape Planning Partnership
  - Transport Assessment – iTransport
  - Ecological Appraisal – URS (now BWB Consulting)
  - Archaeology Assessment - URS (now BWB Consulting)
  - Geology & Ground Conditions Report – URS (now BWB Consulting)
  - Flood Risk & Drainage Appraisal – URS (now BWB Consulting)
  - Air Quality - URS (now BWB Consulting)
  - Noise Impact Assessment - URS (now BWB Consulting)
- 2.4 The Council published a new Local Plan Preferred Sites Document for consultation in July 2016. Within this version of the Local Plan the Osbaldwick site boundary was the same as proposed in the now submitted version of the Local Plan.
- 2.5 At that time TW Fields proposed two site options to the Council associated with the development of a Garden Village of either 975 homes or 1,225 homes at the site.
- 2.6 TW Fields presented a further development option associated with the delivery of a Garden Village of 845 homes in response to the Publication Draft Local Plan (February 2018). This option also sought an expansion to the site boundary proposed by the Council.
- 2.7 TW Fields have been promoting alternative development options for the site in response to every publicised version of the Local Plan since September 2017. Including the Publication Draft Local Plan (February 2018) and the Proposed Modifications to the Local Plan (June 2019).
- 2.8 The updated Sustainability Appraisal (EX/CYC/62) again assesses the sustainability of the site and again supports its allocation as a strategic site for 845 homes. The focus of the update in respect of ST7 is in relation to the findings of the updated HRA and the proposed main modification to Policy SS9 which seeks to respond to them. The developers do not object to the proposed main modification to Policy SS9 as this issue is something that the development of the site can comprehensively respond to.
- 2.9 Accordingly, the Council and the developers have undertaken technical work and Sustainability Appraisal work in respect of a number of different development site options for the Osbaldwick proposals ranging from 845 homes to 1,800 homes over a 10-year period. All of these options are considered to be sustainable and deliverable.
- 2.10 The developers have been keeping abreast of the Local Plan progress since the preparation and submission of their original technical evidence. They have now instructed further updated work to take place, which will re-affirm the site's deliverability, whilst also ensuring that a future planning application can be submitted expediently. An update on this work can be provided at the hearing sessions if desired.

- 2.11 We trust the Inspectors will agree that undertaking this updated work prior to this point may have been premature on the basis that it could have been rendered 'out of date' for the purpose of determining a planning application given the delays to the Local Plan examination process.
- 2.12 Overall, the site is suitable for housing development, has been made available by every required landowner/developer, and evidence has been provided to demonstrate that residential development is viable and achievable at the site. The site is situated in a suitable and highly sustainable location in respect of connectivity to existing jobs and services within the Main Urban Area of the City, and , importantly, there are no technical or environmental (built and natural) constraints that would preclude the development of the site. Accordingly, the site is deliverable.
- 2.13 With regards to the specific wording of Policy SS9, further work has been undertaken with the Council since the Phase 2 hearing sessions to prepare a Statement of Common Ground for the Phase 3 hearing sessions. The focus of which is associated with the modifications that are required to be made to the policy in order to ensure that the policy is sound and up to date when considered against the Council's latest evidence base documents, with specific reference to the evidence presented in Appendix 2 of the Council's Phase 2 Matter 6 hearing statement (Ref. HS/P2/M6/IR/1b), the updated Infrastructure Requirements Updated Gantt Chart (Doc Ref. EX/CYC/70), and the Phase 2 Infrastructure Note (Doc Ref. EX/CYC/79).
- 2.14 The latest draft version of the Statement of Common Ground is enclosed with this hearing statement. Once agreed, it is intended that the modifications to the policy will be included as Main Modifications to the Local Plan. Subject to these modifications being made to Policy SS9, the policy will be soundly based.

***ARE THE GREEN BELT BOUNDARIES OF THE ST7 SITE REASONABLY DERIVED?***

- 3.1 Whilst TW Fields support the identification of the Osbaldwick site as a new Garden Village within the Local Plan, they have concerns with the size of the current site allocation boundary.
- 3.2 Though the site can deliver 845 homes within the plan period within CYC's proposed site allocation boundary, TW Fields remain of the view that the current boundary should be expanded in order to: -
- Enhance the community and green infrastructure provision.
  - Provide sufficient flexibility to deliver a quality of development which meets the Council's Garden Village design aspirations.
  - Ensure the delivery of a critical mass of future population to sustain the requested community facilities.
  - To ensure that all of the policy aspirations required by Policy SS9 of the Local Plan can be viably delivered.
- 3.3 With regards to net density and overall design quality, we maintain our position that in order to ensure there is sufficient flexibility to deliver the design/landscaping aspirations of a Garden Village and the required community facilities outlined in Policy SS9, a more appropriate density and gross : nett area calculation for the site should be 32 dwellings per hectare (dph) with a 60% net developable area.
- 3.4 The Council's 35dph and 70:30 gross : nett calculation is more associated with an edge of settlement development site, where the 30% non-developable area would **not** be required to deliver the Policy SS9 requirements which include the strategic open space to protect the setting of Millennium Way, green corridors, public open space, recreational facilities, and a Village centre.

- 3.5 Whilst the draft Phase 3 Statement of Common Ground between the developers and the Council outlines the agreement to include further wording within Policy SS9 which enables *“infrastructure and features associated with the provision of Sustainable Drainage Systems, Biodiversity Gain, Open Space & Recreational Use, and Landscaping can be delivered within proximity of the site allocation boundary”*, this wording would relate to ‘green infrastructure’, and the development would still need to deliver the strategic open space to protect the setting of Millennium Way, the Village Centre, internal areas of public open space (including equipped play areas) and corridors of greenspace, all within the existing proposed allocation site boundary.
- 3.6 Accordingly, should the existing allocation area not be expanded this could potentially result in the need to retain or deliver a higher density than 35dph (which again is more suitable to an urban extension site) to deliver the minimum 845 home requirement of the policy, or otherwise it could lead to a reduction in the number of homes that the site can deliver in order to meet the Council’s other aspirations for the site as set out in Policy SS9.
- 3.7 Put in numerical terms, the existing site allocation area is 35.4ha. If the site is developed with a 60% net developable area of 21.24ha, and at an average density of 32dph (which we think would be more appropriate to meet Garden Village aspirations), this could result in only 680 homes being delivered at the site within the current allocation boundary. Which would result in a 165 home deficit against the site’s requirements of the Local Plan, which would be unlikely to be met elsewhere due to the Council’s proposed approach to setting tight Green Belt boundaries.
- 3.8 The risk of this potential reduction in housing numbers could also lead to wider issues in respect of the critical mass of population needed to sustain the community facilities which are required by Policy SS9, and the overall viability of the development (taking into account infrastructure requirements which include the length of the two costly access roads needed to serve the development).
- 3.9 Though the Council’s proposed detailed site boundaries have considered historical field boundaries and patterns, each of the developers proposed options have also used a similar process. As can be seen in the Masterplans submitted alongside our Stage 1 Hearing Statements. However, the previously submitted Masterplans have also taken into account other site-specific constraints that have been considered by the developers. Which we believe adds a further layering of detail on top of the assessment undertaken by the Council as set out in EX/CYC/59g.
- 3.10 Alternatively, as the Inspectors’ have already concluded in Paragraph 30 of their letter to the Council dated 12<sup>th</sup> June 2020 (Ref. EX/INS/15) that the *“Local Plan neither seeks to establish new Green Belt nor proposes to alter established Green Belt boundaries”*, it begs the question of why the site allocation boundary is being drawn so tightly, given that the development requirements of the City/ over the Local Plan period should be the first point of call when considering allocation site boundaries. Accordingly, if additional flexibility is required to ensure the delivery of a Garden Village of at least 845 homes, then this matter should be considered now given the ability to amend the site allocation boundary in the future will be severely constrained by the future need to demonstrate exceptional circumstances at the next Local Plan review, as the Green Belt boundaries will be fully established at that time.
- 3.11 The latter point we make above is also linked to our case in favour of increasing the number of homes to be delivered at the site to meet the City’s housing needs over the Local Plan period. We maintain the view we presented in our Phase 1 and Phase 2 hearing statements that additional homes are required to be delivered in the Local Plan on account of the City’s housing needs (including the acute shortage of affordable homes) and employment needs (including educational needs). If the Inspectors deem this to be the case following the Phase 3 hearing sessions, then the ST7 site can be expanded to deliver this increased requirement with little or no harm to the environment.
- 3.12 Furthermore, an increase in the number of homes at the site would also be justified in order to enhance the site’s critical mass to ensure that it remains sustainable for the next 20+ years, given that the site’s boundaries/size may not be reviewed or amended for that period of time given the current Local Plan should be establishing long-term Green Belt permanence.

- 3.13 Finally, an expansion of the allocation boundary in a westerly direction in the manner being proposed by the developers would bring the allocation, and the new homes to be delivered within it, closer to the services and facilities located within the surrounding areas of the site, thus making the allocation more sustainable from a purely locational/distance point of view.
- 3.14 The increase in the size of the site to that being proposed (or to at least 975 homes) would also deliver proportionate social, economic, and environmental benefits (as set out in the developer's options assessment which is enclosed), whilst also providing additional viability headroom.
- 3.15 The net developable area of each of the proposed options are similar in size to the current allocation site area identified within the Local Plan. The expansion of the site required to deliver each of the proposed options would not require a significant amount of further land to be allocated when considered against the wider extent of the proposed boundaries of the York Green Belt.
- 3.16 Accordingly, an amendment to the allocation boundary in the manner proposed could be dealt with under Main Modifications to the Local Plan. The Sustainability Appraisal would also need to be updated, but as this process is iterative, and as the expanded site options have previously been as part of this process, this would not identify any significant constraints.
- 3.17 With regards to TW Fields' proposed option which recommends the delivery of 975 homes at the site, the Council's Officers previously endorsed an increase in the proposed site allocation from 34.5ha (845 homes) to 44ha (975 homes) to the Council's Local Plan Working Group on the 10<sup>th</sup> July 2017. The reasoning behind the recommendation was as follows: -
- “This reflects developers/landowners concerns raised regarding the viability/deliverability of the site, the related ability to deliver the planning principles including provision of educational and community facilities and concerns over the provision of site access to the south of the site. Officers consider that this boundary amendment could improve the viability of the site and ensure that the planning principles can be delivered.”***
- 3.18 This option was also put forward by the Council's Officers as a potential change to the Local Plan ahead of consultation in respect of the Publication Draft Local Plan at CYC's Local Plan Working Group on the 23<sup>rd</sup> January 2018. Whilst the recommendations of Officers were not approved on either occasion, TW Fields believe that there is still a compelling case for the expansion of the site to deliver each of the aspirations of Policy SS9 of the Local Plan and to meet an expected increase in the City's housing numbers.
- 3.19 With regards to the more strategic factors (with reference to the areas located outside of the current allocation site boundary) associated with the site's boundaries, whilst we support the principal of a freestanding settlement in this location of the City as set out in EX/CYC/59g, we believe that further consideration should be given to the designation/role of the land located between the suburban edge and the western boundary of ST7.
- 3.20 We agree that the identification of ST7 reflects the identified key characteristics of the City, through enabling a new settlement with its own identity to be created which reflect the existing settlement form of villages around the main urban area of York, in-keeping with the existing urban form and York's unique character.
- 3.21 However, whilst we maintain our objection to the Council's findings in respect of their conclusions with regards to the proposed detailed boundaries of ST7, a key outcome of the Council's further evidence base work is that both the Council's preferred allocation boundary area, and the expanded land areas required to deliver each of the developers proposed options for the site (bar the area located immediately adjacent to Tang Hall Beck, which would in any event remain free of development in all of the developers proposed options) are not located within any areas of development constraint used as Site Selection Criteria by CYC, as identified on the plan shown on page A5:3 of Annex 5 of Topic

Paper 1 (EX/CYC/59g). This evidence again confirms the deliverability and overall soundness of the proposed allocation.

- 3.22 It remains the developer's view that the Council's further work undertaken in Annex 5 of the Green Belt Topic Paper 1 (EX/CYC/59g) provides inadequate justification for the inclusion of the area of land to the west of Site ST7 to be included within the Green Belt. The identified justification for the currently proposed boundaries is weak and has not taken into account the context of the area which would be a thin wedge of land between two areas of modern development, thus not preserving the understanding of the compact, historic city within a rural hinterland. The area would be surrounded by development on all sides. It is our view that the Council's own evidence has not shown that this area serves the purpose of Green Belt and it is considered that this area does not demonstrate the essential characteristics of Green Belt.
- 3.23 To conclude, TW Fields' alternative development options for the site would ensure the delivery of an exemplary new Garden Village which respects the historic character of the City. It can deliver new homes alongside significant areas of community and green infrastructure, in a sustainable location within proximity of the City's existing urban edge. The expanded site proposals would provide flexibility and enhance the site's sustainability and viability credentials through the provision of an increased critical mass of population, whilst also delivering a proportionate uplift in the social, economic, and environmental benefits that the site can deliver. The expanded site proposals could also meet an increased housing requirement of the Local Plan should that be considered necessary by the Inspectors following the Phasing 3 hearing sessions. Without an expansion of the boundary there is a risk that the site may not achieve all of its housing, community infrastructure and greenspace expectations.