

RAPLEYS

**Examination of City of York Local Plan
Phase 3 Hearing Session**

MATTER 4 - STRATEGIC SITES

**Written Statement on behalf of British Sugar
prepared by Rapleys**

June 2022

Our Ref: 1119/114/3

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QUALITY ASSURANCE

This report has been prepared within the quality system operated at Rapleys LLP according to British Standard ISO 9001:2008.

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**FOR AND ON BEHALF OF RAPLEYS LLP
JUNE 2022**

1 INTRODUCTION

- 1.1 This Written Statement has been prepared and submitted by Rapleys LLP on behalf of British Sugar Plc (British Sugar).
- 1.2 British Sugar is the owner of the Former British Sugar site (the Site), Boroughbridge Road, York.
- 1.3 The British Sugar site forms the substantial part of site ST1 (British Sugar / Manor School) in the draft Local Plan. The British Sugar and Manor Schools sites, together, are identified within draft Policy SS6 as delivering approximately 1,200 dwellings as part of a residential led mixed use development incorporating associated community and neighbourhood facilities.
- 1.4 British Sugar has worked with City of York Council (CYC) since the closure of the former British Sugar site in 2007 to progress its sustainable redevelopment for residential led mixed uses. British Sugar has secured outline and full planning permissions (see below) to enable the residential led mixed use development of the site.
- Outline planning permission (ref 15/00524/OUTM, Appeal Ref 3177821) for up to 1,100 residential units and associated community uses
 - Full planning permission (ref 20/00774/FULM) for engineering works, remediation and reclamation of the Site
 - Full planning permission (ref 17/01072/FUL) for the construction of access roads at Boroughbridge Road and Millfield Lane and across the Former Manor School site.
- 1.5 The vast majority of the pre-commencement conditions relating to the remediation and reclamation works have been discharged with a view to commencing this work.
- 1.6 British Sugar is actively progressing the further work necessary to bring forward the development of the site.
- 1.7 British Sugar is undertaking the role of masterdeveloper of the site, with a full specialist consultant team appointed to ensure this work is progressed. British Sugar intends to retain their interest in the site, acting as masterdeveloper, and will undertake directly the required remediation and reclamation works, and will install directly the strategic infrastructure across the site including roads, drainage, utilities, and strategic green infrastructure. This approach will not only control the quality of the development, it will enable the construction of ‘oven-ready’ development parcels, in phases, which will be brought to the market, ready for development by the chosen housebuilders. This masterdeveloper model ensures that British Sugar retains a level of control over the quality of the development on the site, which is very important to them in terms of their legacy in York.
- 1.8 The timetable for the ongoing works is confirmed by the appointed project team as follows:
- Procurement 2022/23
 - Remediation earthworks - 2023/24
 - First reserved matters applications 2023/24
 - Infrastructure installation - 2024
 - Housing building Phase 1 commences - 2025/26
 - Completion of Phase 1 homes - 2026/27
- 1.9 British Sugar has received significant and numerous expressions of interest from national and regional housebuilders seeking to bring forward new homes on the site. Acting as

masterdeveloper, British Sugar expects to enable two housebuilders developing on site concurrently, each completing circa 75 dwellings per annum, thereby achieving the estimated rate of completions identified.

1.10 It is this approach to delivery on which the timetable for completion of homes on the site, as set out below and included the Council’s HLS Update, is based. Given their role as masterdeveloper actively progressing the development of the site, British Sugar is therefore confident that this programme is realistic and achievable.

Site Address	YEAR												
	1	2	3	4	5	6	7	8	9	10	11	12	13
British Sugar site (ST1a)	2021 /22	2022 /23	2023 /24	2024 /25	2025 /26	2026 /27	2027 /28	2028 /29	2029 /30	2030 /31	2031 /32	2032/ 33	2033/ 34
						150	150	150	150	150	150	150	50

1.11 This Written Statement should be read in conjunction with all previous representations made to the draft Local Plan, previous draft Core Strategy, and other relevant CYC draft policy documents by Rapleys on behalf of British Sugar as follows:

- City of York Publication Draft (February 2018)
- City of York Pre-Submission Draft (October 2017);
- City of York Local Plan Assessment Update (October 2016);
- City of York Local Plan Preferred Sites Consultation (July 2016);
- Housing Implementation Survey Representations (December 2015);
- City of York Plan Further Sites Consultation Representation (July 2014); • Local Plan Preferred Option Representations (July 2013);
- Core Strategy Representations (November 2011); and
- Formal British Sugar/Former Manor School Supplementary Planning Document Representations (November 2010 and January 2011).

1.12 The following Written Statement provides the further comments and representations of British Sugar on the above Matters, where appropriate.

2 MATTER 4 - STRATEGIC SITES

Q 4.2 Is the allocation and associated Policy SS6 relating to ST1 soundly based?

- 2.1 Rapleys understanding is that there are no proposed modifications, at time of writing, to draft Policy SS6 relating to ST1, following the Feb 2018 Publication Draft. The following comments are therefore provided on this basis, and in the context of Rapleys previous Reg 18 and Reg 19 representations on behalf of British Sugar.
- 2.2 British Sugar supports the allocation and associated Policy SS6 relating to ST1 and considers that the allocation and associated policy are soundly based. In particular, it is considered that the allocation and associated Policy are justified as they are based on robust evidence as to the deliverability of the British Sugar site development (including the extant planning permissions which enable the redevelopment, and British Sugar's commitment in the role of masterdeveloper to facilitating the development of the site). In addition, the allocation and associated policy is considered to be effective, as it is demonstrated that the site is deliverable over the Plan period. Finally, the policy is consistent with national policy, as it will enable the delivery of sustainable development in accordance with the policies in the Framework.
- 2.3 In the context of this support, Rapleys on behalf of British Sugar offers the following detailed comments on the draft allocation and associated Policy SS6 to ensure that it is reflective of the latest position in respect of the development of the site, and is clearly worded, such that it can be applied in the most effective manner.
- 2.4 Part ii) of the draft policy refers to the provision of '*new social infrastructure which meets the needs of future residents of ST1, and where viable, surrounding communities, including local retail, health, community space, educational facilities, and sports provision*'. It should be noted that the planning permissions for the development of the British Sugar site are subject to a detailed s106 agreement which sets out the requirements for provision, both on site and off site (by way of contribution) towards required social infrastructure, including education, community space and sports provision. In this respect the development of the site must, and will, provide the necessary social infrastructure obligations to ensure it is acceptable in planning terms. It is considered that in order to be compliant with CIL Reg 122, reference to *surrounding communities* should be deleted from the policy wording, as the development of the site cannot be required to meet these needs (albeit in practice the surrounding communities will derive significant benefit from the improvements and facilities to be created on the site).
- 2.5 Part v) of the draft policy refers to the Bee Bank Site of Nature Conservation Importance (SINC) within the site, and that '*significant buffering would be required to ensure the integrity of this nature conservation site*'. This impact of development on the SINC has been tested thoroughly as part of the approved planning permissions, and as such the approved masterplan layout includes for suitable separation distances between the SINC and new development. It is considered that the policy wording should therefore be amended to refer to 'suitable' rather than 'significant' buffering to be consistent with the approved permissions.
- 2.6 Para 3.41 also refers to the Bee Bank SINC, and the potential need to include phasing of development around the site to correspond to the lifecycle of these species. However, the impact on the SINC was assessed in detail as part of the planning application process, and there is no justification for the phasing of the development to have regard to the SINC in this manner. The approved masterplan layout incorporates suitable 'separation distances' from the SINC for any new development which is sufficient to ensure that it is not adversely impact. Therefore on the basis that there is no justification for any phasing of development to have regard to the SINC, this wording of para 3.41 should be deleted.

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- 2.7 The draft proposals map includes an annotation, to the north of site ST1 (British Sugar / Manor School) identifying a potential new bridge / enhancements across the Harrogate Rail Line, adjoining safeguarded land for potential future transport improvements. Consistent with previous representations made by British Sugar, it should be noted that there is no evidence of funding currently available for these potential future transport improvements. In addition, the transport impacts of the development at the British Sugar site were thoroughly tested at the planning application stage in the consideration and approval of the extant permissions for the development of the site. As part of this work an extensive set of public transport planning obligations and contributions were agreed and committed to within the s106 agreement associated with the extant outline planning permission for the British Sugar site. The direct provision (or indeed the payment of contributions) relating to this potential future bridge / enhancement in the location shown on the draft proposal map were specifically excluded from these planning obligations on the basis that it was demonstrated that such improvements were not necessary to make the development acceptable in planning terms. On this basis, whilst it is understood that the Council has an aspiration to provide these improvements in the future, there is no current funding for these improvements and there is no obligation on British Sugar to provide or make contributions towards these.
- 2.8 Therefore, if this annotation is to be retained, it is considered that in order to be clear, there needs to be an explanation within Policy SS6, or within the explanatory text to the policy, that the proposals map annotation relates to a potential future improvement and that this is not a requirement of the British Sugar development.