



RESPONSE TO THE CITY OF YORK LOCAL PLAN EXAMINATION - MATTER 4

VISTRY HOMES

YORK LOCAL PLAN: INSPECTORS' MATTERS, ISSUES AND
QUESTIONS (PHASE 3)



RESPONSE TO THE CITY OF YORK LOCAL PLAN EXAMINATION - MATTER 4

On behalf of: Vistry Homes

In respect of: York Local Plan: Inspectors' Matters, Issues and
Questions (Phase 3)

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1.0 Introduction

- 1.1 This Statement ('the Statement') is submitted on behalf of Vistry Homes to assist the Inspectors in their examination of the City of York Local Plan ('the Plan').
- 1.2 This Statement provides specific responses to the Inspector's matters, issues and questions set out in the Schedule of Matters, Issues and Questions document ('MiQ's') ([EX/INS/37](#)) published on 1st June 2022.
- 1.3 As noted by the Inspectors within their Guidance Note, the Local Plan was submitted for examination prior to 24th January 2019. Therefore, in accordance with the Transitional Arrangements set out at paragraph 220 in Annex 1 of the National Planning Policy Framework 2021 ('the NPPF 2021'), the Local Plan will be examined against 2012 National Planning Policy Framework ('the NPPF 2012').

2.0 Response to Matter 4

Question 4.11

Is the allocation and associated Policy SS11 relating to ST9 soundly based?

Allocation ST9

- 2.1 Vistry Homes fully support the allocation of ST9.
- 2.2 The allocation is supported by two separate developers, Barratt and David Wilson Homes and Vistry Homes (formerly Linden Homes), who have an option on the site, and a proven track record of delivering housing nationwide.
- 2.3 Vistry Homes have been promoting ST9 since the site was first identified in the 2013 version of the plan. ST9 has remained as a proposed allocation through every iteration of the Plan. The Council have consistently regarded the proposed allocation as sound, and we agree. There are a number of reasons for this which we will touch upon below.
- 2.4 Haxby is an inherently sustainable settlement, and the allocation lies just to the north of the existing centre of the settlement which contains a range of services and facilities which we outline in more detail in Paragraphs 2.28-2.29. The allocation is within an easy walking distance of these services and facilities. The proposed allocation is sustainably located.
- 2.5 ST9 has good access to the City of York via private motor vehicle and public transport. The '1' and the 'Super 13' bus routes operate every 15 minutes and every half an hour respectively to connect to the city centre. Further, Haxby and the proposed allocation will shortly become even more accessible when the planned railway station is opened. As noted by the Council within the Preferred Sites Consultation July 2016:

'The site is in a sustainable location with good pedestrian and cycle access to the facilities within Haxby District Centre and access to a number of frequent bus routes connecting the site to the City Centre.'

The above statement further enhances the sustainability of the proposed allocation, and Vistry Homes wholly agree with this.

- 2.6 ST9 has remained an allocation in every iteration of the plan since the publishing of the Preferred Options Local Plan 2013, in which officers noted:

'The site is not within any of the areas of primary constraints which are designed to; protect the districts heritage and environmental assets, and ensure flood risk is properly managed. The site does not fulfil the five purposes for including land in the green belt and forms a logical addition to the form of the settlement.'

- 2.7 Again, Vistry Homes wholly agree with the Council's conclusions regarding the Green Belt, the site's relationship to the settlement and the other potential primary constraints. A significant number of technical reports were submitted to the Council to support the proposed allocation. These demonstrate that there are no primary constraints which, with mitigation, would preclude development and ST9 is well located to the settlement and the services and facilities within it.
- 2.8 Throughout the iterations of the plan that have followed, officers have remained satisfied that ST9 remains an appropriate location for housing growth. The allocation of ST9 is plainly consistent with the aims of the Council's spatial strategy, which in part seeks to direct development towards existing sustainable settlements.
- 2.9 As we have set out in previous representations, there are no technical issues or constraints preventing a development of the site. Indeed, the developers of ST9 are in the process of preparing a planning application which they plan to submit to the Council in the 4th quarter of 2022 and hope that planning permission will be granted in the 4th quarter of 2023. The developers expect to have received reserved matters approval on their respective phase 1 parcels of land in the 1st quarter of 2024 and to make a start on site in the 2nd / 3rd quarter of 2024 with first completions expected in the 2nd quarter of 2025.
- 2.10 The delivery matrix for ST9 is attached to this submission at **Appendix 1**, demonstrating delivery of the first units in April 2025 with the completion of development expected in about 2032/2033.
- 2.11 The allocation of ST9 is plainly consistent with the aims of the Council's spatial strategy, which in part, seeks to direct development towards existing sustainable settlements and Vistry Homes agree.
- 2.12 ST9 is therefore available for residential development, there are no constraints to development that cannot be addressed or mitigated, and the proposed allocation is achievable and, given the market conditions in York, the development of ST9 is plainly deliverable.
- 2.13 We consider that the allocation known as ST9 accords with the Council's spatial strategy outlined in policies DP2 and DP3. ST9 is justified as it represents a sustainable urban extension and, given the future train station, it is perhaps one of the most sustainable sites in the whole Plan. As noted above, the allocation is effective as it will be delivered, and its development will be consistent with national policy in that it comprises sustainable development.
- 2.14 ST9 represents a sustainable urban extension of the settlement of Haxby, and we consider that the allocation is soundly based.

Policy SS11

- 2.15 We have discussed policy SS11 with officers of the Council and we are preparing a statement of common ground. Overall, we consider that policy SS11 is soundly based albeit we have a number of comments in relation to part i, ii, iii, iv and vi which we set out below.

i. Be of a high design standard which will provide an appropriate new extension to the settlement of Haxby.

2.16 A quality development will, of course, be provided. However, we would question the inclusion of word 'high' in this part of the policy. The word high, in terms of quality of design, is somewhat vague and difficult to define. The aspiration to achieve a suitable quality of design is included within the broader development management policies within the Plan and is therefore unnecessary. We would ask that the term 'high' is deleted.

ii. Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy, addressing local need for smaller family homes and bungalows/sheltered housing

2.17 We have no issue with the need for the allocation to meet the housing needs of the City of York. However, we would ask why the policy makes specific reference to addressing the need *for smaller family homes and bungalows/sheltered housing*. We consider that the reference to specific house types is inappropriate for a number of reasons. First, housing needs change over time and thereby fixing the type of housing now may prejudice a more appropriate mix being delivered later as part of any subsequent reserved matters submission. Secondly, the requirement to provide an appropriate housing mix is contained within policy H3 of the Plan which seeks to balance the housing market across the Plan and to do this suggests that the housing mix should have regard to the SHMA. Thirdly, only one of the other policies associated with the strategic allocations (SS18) specifically references house types and tenures of housing. To make the policy SS11 consistent with the remainder of the Plan or to avoid unnecessary duplication, we would suggest either of the following:

Criterion ii) is modified to read "to deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment".

or in the alternative:

Criterion ii) is deleted altogether as it is a duplication of policy H3.

iii. Create new open space to the south of the site (as shown on the proposals map) to reflect the needs of the Haxby and Wigginton ward including formal pitch provisions, informal amenity greenspace, play provision, cemeteries and allotments. The openspace needs of the area should be assessed in detail, liaising with Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents.

2.18 There are a number of issues with this criterion. These include the following:

- Location on Policies Map;
- The range of open space typologies referenced; and

- To liaise with Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents.

Location on Policies Map

2.19 In relation to the first matter the Policies Map shows all of the open space to be located to the south of the site as shown below in **Figure 1**.



Figure 1 - Policy Map Extract of Strategic Allocation 'ST9'

2.20 We consider that the location of the open space is not necessarily the most logical location. As illustrated in **Figure 2** below, the southern boundary of the proposed open space will be largely formed by the rear gardens/side elevations of existing residential properties.



Figure 2 - ST9's Southern Boundary as Viewed Looking Southwards

- 2.21 This is clearly poor urban design/planning as the existing rear gardens will back onto the green wedge which means the green space's frontage will be comprised of the garden fences of the existing properties rather than dwellings facing onto it. This also raises secured by design issues.
- 2.22 Further, any large-scale areas of open space, such as playing pitches, may breach the established hedgerows and require drainage ditches to be culverted which criterion xi) of SS11 seeks to maintain.
- 2.23 In addition to the above, we have seen no evidence or justification as to why the open space needs to be in this location as opposed to other locations.
- 2.24 It may be appropriate to have some of the open space along the southern boundary of the allocation, but we consider that the location of all of the open space considered to be necessary by the Council would best be determined by the preparation, and approval by the Council, of a masterplan. The masterplan would have to have proper regard to maintaining and retaining the existing hedgerows and trees and field patterns as well as drainage ditches. We consider that this would result in a much more successful resolution of the constraints and opportunities of this site. It is our view that the master-planning process would lead to a better considered overall layout whilst incorporating open space that would respond well to the specific site characteristics and that can be carefully designed to avoid poor design such as a lack of active frontage along the open space's boundary. Indeed, this is the approach the developers adopted in the early iterations of the masterplan submitted with the representations in support of the allocation.

The range of open space typologies referenced

- 2.25 In terms of the requirement for the range of open space typologies, Vistry Homes also have some concerns. Reference to the need to provide formal pitch provisions, informal amenity greenspace, play provision, cemeteries and allotments does not appear to be based upon an up-to-date needs assessment. The Local Plan Evidence Base Study: Open Space and Green Infrastructure Update (September 2017) attached at **Appendix 2** does indeed identify a deficiency. However, this assessment is now somewhat out-of-date. It is Vistry's view that the nature and amount of open space should be informed by an up-to-date assessment of the needs identified within the Haxby and Wigginton ward.

To liaise with Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents.

- 2.26 The final part of the criterion requires the developers to liaise with Haxby Town Council and Wigginton Parish Council, the neighbourhood plan group and local residents. Liaising and agreeing with all of these parties would be difficult to achieve as many of these parties will have different viewpoints and aspirations. Such a requirement is likely to significantly delay the beneficial grant of planning permission, if it was indeed capable of being satisfied. Given that there would be a requirement to provide open space to the satisfaction of the Council, who will undoubtedly consult Haxby Town Council and Wigginton Parish Council, and the neighbourhood plan group and as the planning application process will also elicit feedback from local residents, Vistry Homes considers that this is more appropriate. The developer therefore suggests that this text be deleted.
- 2.27 Vistry Homes would suggest that the policy is amended, to require the developer to *“create new open space delivered in accordance with the masterplan and site-wide recreation and open space strategy to be approved by the Council.”*

iv. Create new local facilities as required to provide an appropriate range of shops, services and facilities to meet the needs of future occupiers of the development.

- 2.28 Vistry Homes note that ST9 is already very well located in relation to Haxby, and the various services and amenities within the town centre. Indeed, the high street lies within close proximity of the allocation.
- 2.29 Along the high street there are already numerous shops including 2 supermarkets, a butcher, a pharmacy and a post office. Additionally, there are 2 pubs and various cafes and restaurants as indicated in **Figure 3** below. New isolated shops, services and facilities within ST9 will be unlikely to compete with the existing facilities on the high street and as such we doubt whether there will be any demand.



Figure 3 - Extract of Map Indicating Part of Haxby's High Street

- 2.30 As such, the allocation is unlikely to support additional shops, services and facilities.
- 2.31 We note that the allocation wording requires the caveat “*as required*”. We support the inclusion of such a caveat given our view that additional shops, services and facilities is unlikely to materialise.

ix. Provide highway access to the site from Moor Lane on the West side, with secondary access from Usher Lane on the East side. Improvements would be required both to the junction of Moor Lane with The Village and Usher Lane/Station Road to improve safety and visibility. The scheme should seek to minimise the amount of trips using the Usher Lane/Station Road junction due to existing capacity and safety issues. Alternative access should also be explored in relation to this site.

- 2.32 We have no specific issue with part ix of the policy. However, the access solution will need to be determined through additional highways work to determine the optimal highways solution. We reserve the right to make further comment.

Question 4.12

Are the Green Belt boundaries of the ST9 site reasonably derived?

- 2.33 The developer supports the boundaries of ST9 as derived by the Council. Within Topic Paper 1: Approach to defining York’s Green Belt Addendum (2021): Annex 4: Other Densely Developed Areas in the General Extent of the Green Belt ([EX/CYC/59F](#)), the Council set out the reasoning underpinning the boundary.

- 2.34 The Council note the following:

‘..... To the north of the village, the Green Belt boundary follows rear property boundaries along Windsor Drive, turning north up Moor Lane before going east following field

boundary to Usher lane. The boundary then follow the rear curtilage of properties of Usher Park Road. The boundary continues along the rear property boundaries, crossing over the railway line until it reaches the rear boundaries of Netherwindings and the River Foss. The boundary in this section consists of a combination of hedges, trees, fences (mostly forming the curtilage boundaries of properties) and the carriageway. The boundary is recognisable and is easily determined on OS maps and on the ground.

Parts of the boundary follow rural field boundaries dating from before the mid-19th Century (although the residential development adjacent to the boundary only dates from the late 20th Century). Parts of the revised boundary around the allocation follow historic field boundaries present on 19th Century mapping. The boundary offers permanence to the rear of current 20th Century development.'

- 2.35 We fully support the Council's assessment of the boundaries. From Moor Lane, the boundary runs northward, with the adopted highway providing a clear physical edge. The boundary subsequently moves eastwards towards Usher Lane, encompassing the Site. The northern boundary of the Site follows established field boundaries, comprised of trees, hedgerow and drainage ditches. On the east side the boundary follows Usher Lane. The boundary is sufficiently permanent and is clearly distinguishable. It provides a recognisable and logical edge to the settlement, and ensures that the settlement, and open countryside to the north remain distinct and separate. The use of such a strong and clear boundary will ensure the Council are able to prevent unrestricted sprawl and encroachment into the countryside.

APPENDIX 1 – ST9 DELIVERY MATRIX



ST9 – Delivery Matrix

Outline Planning Submission: November 2022

Granting of Outline PP: April 2023

RM Planning submission: November 2023

Granting of RM / Discharge of Conditions: November 2024

Commencement of Development: November 2024

Plan Periods	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	Total Yield
Grant of Outline permission		X											
Grant of RM Permission			X										
Vistry	0	0	0	35	50	50	50	50	50	50	30	0	365
Barratt	0	0	0	5	40	40	40	40	20	0	0	0	185
David Wilson Homes	0	0	0	0	10	40	40	40	40	15	0	0	185
Annual Total	0	0	0	40	100	130	130	130	110	65	30	0	735
Cumulative Total				40	140	270	400	530	640	595	735		735



APPENDIX 2 – EXTRACT FROM LOCAL PLAN EVIDENCE BASE STUDY: OPEN SPACE AND GREEN INFRASTRUCTURE UPDATE (SEPTEMBER 2017)

HAXBY & WIGGINTON WARD

Population (2017)	12028 (2011 Census data rebased to 2015 Ward Boundaries)				
Open space Type	TOTAL existing	Standard (ha/1000 persons)	Standard ha required	Surplus/ Deficit	
City Park	0.00	0.18	2.17	-2.17	Deficit
Local Park	0.00				
Natural and semi natural	5.33	2.13	25.62	-20.29	Deficit
Outdoor Sports Facility	8.49	1.78	21.41	-12.92	Deficit
Amenity Greenspace	7.76	1.45	17.44	-9.68	Deficit
Children's Play Area	0.88	0.48	5.77	-4.89	Deficit
Young Person's Facility	0.10	0.21	2.53	-2.43	Deficit
Allotments	1.20	0.29	3.49	-2.29	Deficit
Cemeteries	2.73				
TOTAL	26.50				

Site ID	Site Name	Type	Size (HA)
153	Wigginton Pond	Natural and semi natural	0.335
1027	Fosslands Development NSN	Natural and semi natural	0.518
2041	Haxby Pond NSN	Natural and semi natural	0.075
2068	Moorlands Nature Reserve	Natural and semi natural	1.470
2069	Haxby Woodland Trust NSN	Natural and semi natural	2.934
93	Wigginton Playing Field, off Mill Lane, Wigginton	Outdoor Sports Facility	3.514
159	Ethel Ward Memorial Playing Field	Outdoor Sports Facility	3.062
449	Wigginton County Primary School	Outdoor Sports Facility	0.836
450	Ralph Butterfield County Primary School	Outdoor Sports Facility	0.435
451	Headlands Primary School	Outdoor Sports Facility	0.643
152	Land off Mill Lane	Amenity Greenspace	0.197
154	Church Field	Amenity Greenspace	1.376
155	Land off the village	Amenity Greenspace	0.135
156	Land off Mancroft and Hunters Close	Amenity Greenspace	0.578
157	Land between Old Dykelands and Broad Acres	Amenity Greenspace	0.349
158	Land between Eastfield Avenue and Sandringham Clos	Amenity Greenspace	0.602
161	Land between West Nooks and River Foss (Thornfield)	Amenity Greenspace	2.363
733	Oaken Grove AGS	Amenity Greenspace	0.630
736	York Road AGS	Amenity Greenspace	0.242
737	Wheatfield Lane AGS	Amenity Greenspace	0.073
1015	Headlands	Amenity Greenspace	0.067
1016	Springwood	Amenity Greenspace	0.063
1017	Netherwindings AGS	Amenity Greenspace	0.429
1018	Coppice Close AGS	Amenity Greenspace	0.113
1019	Greenshaw Drive AGS	Amenity Greenspace	0.072
1020	Windhill AGS	Amenity Greenspace	0.083
1021	Church Lane AGS	Amenity Greenspace	0.146
1022	Westfield Grove AGS	Amenity Greenspace	0.048

Local Plan Evidence Base Study: Open Space and Green Infrastructure Update (September 2017)

2039	Lancar Close AGS	Amenity Greenspace	0.161
2040	Village Garth AGS	Amenity Greenspace	0.038
10	Land to South of Greenshaw Drive	Children's Play Area	0.131
46	Playground on land to east of York Road	Children's Play Area	0.201
808	Playarea at Ralph Butterfield School	Children's Play Area	0.066
2100	Mancroft Playbuilder Site	Children's Play Area	0.487
2112	Youth Shelter on Land to the East of York Road	Young Person's Facility	0.096
160	Allotment Gardens, south of Station Road, Haxby	Allotments	0.922
2038	Mill Lane Allotments	Allotments	0.277
734	St Mary's Church, The Village, Haxby	Cemeteries	0.179
735	Haxby and Wigginton Cemetery, Moorlands, Wigginton	Cemeteries	2.481
807	St Mary and St Nicholas Church, Church Lane, Wigginton	Cemeteries	0.250

Openspace Key

- Children's Play Area
- Outdoor Sports Facility
- Amenity Greenspace
- Natural and semi natural
- Allotments
- Young Person's Facility
- Local Park
- City Park
- Cemeteries
- Civic Spaces
- Outside of CYC boundary
- CYC Boundary
- Ward Boundary

