

STATEMENT OF COMMON GROUND

LAND EAST OF METCALFE LANE, YORK – SITE REF. ST7

PHASE 3 HEARINGS

**AS AGREED BETWEEN CITY OF YORK COUNCIL, BARRATT HOMES, TAYLOR
WIMPEY UK LTD, AND TW FIELDS (OSBALDWICK) LTD**

25th July 2022

INTRODUCTION

1. This Statement of Common Ground (SoCG) has been prepared jointly between City of York Council, Barratt Homes, Taylor Wimpey UK Ltd, and TW Fields (Osbalwick) Ltd (the Developers). The purpose of this SoCG is to inform the Inspectors of areas of agreement and disagreement between the parties in relation to the matters to be heard during the phase three hearings into the submitted draft York Local Plan (Local Plan) [CD001].
2. The topics covered in this SoCG are in relation to the site specific matters for the Phase 3 Hearings and specifically questions 4.7 and 4.8 as set out in the Schedule of Matters, Issues and Questions document (Ref: EX/INS/37c).

BACKGROUND

3. There has been ongoing engagement between the Council and the Developers during the preparation of the Local Plan and evidence base.
4. The Developers have previously made representations to the City of York Council in respect of previous consultation exercises on the Local Plan. Throughout the plan making process these representations have demonstrated that the proposed housing allocation on land East of Metcalfe Lane, York (strategic housing site ref: ST7) is suitable for housing development, is available and that residential development is viable and achievable on 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.
5. In addition to this SoCG the Developers have submitted specific responses to the Inspector's issues and questions as set out in the Schedule of Matters, Issues and Questions document (Ref: EX/INS/37c).
6. 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. 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.
7. The Developers have made representations regarding ST7 which can be regarded as the areas of disagreement between the Developers and the Council. These are addressed in the detail of the Developers representations.
8. The Council is proposing the following modifications to Policy SS9 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).

Policy SS9: Land East of Metcalfe Lane

Land East of Metcalfe Lane (ST7) will deliver approximately 845 dwellings at this garden village development site. In addition to complying with the policies within this Local Plan, the site must be master planned and delivered in accordance with the following key principles.

- i. Create a new 'garden' village that reflects the existing urban form of York of the main York urban area as a compact city surrounded by villages.
- ii. ~~Deliver a sustainable housing mix in accordance with the Council's most up to date Strategic Housing Market Assessment and affordable housing policy.~~
Protect and, where appropriate, strengthen existing boundary features that are recognisable and likely to remain permanent. Where the site's boundary is not defined by recognisable or permanent features it should be addressed through the masterplan and design process in order for strong and defensible green belt boundaries to be created and secured.
- iii. Create a new local centre providing an appropriate range of shops, services and facilities to meet the needs of future occupiers of the development.
- iv. ~~Deliver Secure developer contributions for education and community provision, including primary and secondary, which meet the needs generated by the development~~
~~early in the scheme's phasing, in order to allow the establishment of a new sustainable community. A new primary facility and secondary provision (potentially in combination with Site ST8 – North of Monks Cross) may be required to serve the development as there is limited capacity available in existing schools. Further detailed assessments and associated viability work will be required.~~
- v. ~~Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England, as necessary, to ensure sustainable transport provision at the site is achievable. The transport and highways impacts of the site should be assessed individually and cumulatively with sites ST8, ST9, ST14 and ST15 should be addressed. Where necessary, proportionate mitigation will be required.~~
- vi. Provide vehicular access from Stockton Lane to the north of the site and/or Murton Way to the south of the site (as shown indicatively on the proposals policies map), with a small proportion of public transport traffic potentially served off Bad Bargain Lane. Access between Stockton Lane and Murton Way will be limited to ~~public transport and walking/ cycling links only, and, if necessary and feasible, public transport.~~
- vii. Deliver high quality, frequent and accessible public transport services through the whole site, to provide attractive links to York City Centre. ~~It is envisaged such measures will enable upwards of 15% of trips to be undertaken using public transport.~~ Public transport links through the adjacent urban area will be sought, as well as public transport upgrades to either the Derwent Valley Light Rail Sustrans route, or bus priority measures on Hull Rd and/or Stockton lane, subject to feasibility and viability. All measures proposed to support public transport use should be identified and agreed as part of a Sustainable Travel Plan which has an overall aim to achieve upwards of 15% of trips by public transport.
- viii. Optimise pedestrian and cycle integration, connection and accessibility in and out of the site and connectivity to the city and surrounding area creating well-connected internal streets and walkable neighbourhoods, to encourage the maximum take-up of these more 'active' forms of transport (walking and cycling).
- ix. Provide a detailed site wide recreation and open space strategy and demonstrate its application in site masterplanning. This must include:
 - o ~~Create~~ Creation of a new open space (as shown on the proposals policies map as allocation OS7) to protect the setting of the Millennium Way that runs through the site. Millennium Way is a historic footpath which follows Bad Bargain Lane and is a footpath linking York's strays and should be kept open. A 50m green buffer has been included along the route of the Millennium Way that runs through the site to provide protection to this Public Right of Way and a suitable setting for the new development.
 - o Open space provision that satisfies policies GI2a and GI6
- x. Minimise impacts of access from Murton Way to the south on 'Osbalwick Meadows' Candidate Site of Importance for Nature Conservation and provide compensatory provision for any loss.
- xi. Preserve existing views to, and the setting of, York Minster, Millennium Way and Osbalwick Conservation Area.

9. The table below confirm matters that are agreed and those that are not agreed with regards the modifications to Policy SS9.

Policy Provision	Developer	CYC
I – garden village	It is agreed that no changes are required to this criterion	
II – housing mix (replaced by greenbelt boundary)	<p>The Masterplan work undertaken by the ST7 consortium includes a mix of dwellings that reflects a ‘garden village’ approach to urban design with a predominantly family housing mix with higher densities in key nodal areas. The mix used to construct the Masterplan included a higher proportion (approx. 40%) of 4-bedroom+ sized properties.</p> <p>It is the developers preference to retain but amend the original criterion to provide future guidance in respect of the development providing for a higher proportion of larger family housing to meet the anticipated housing needs and demand of the development. They would therefore wish to retain the following amended criteria within the policy: -</p> <p><u>Deliver a sustainable housing mix, including the potential to deliver a higher proportion of larger family homes (approx. 35-40%), than that identified in the Council’s most up to date Strategic Housing Market Assessment</u></p>	<p>Modification proposed – deletion of this criterion as it is sufficiently dealt with in Policy H3.</p> <p>To be replaced with wording to secure strong green belt boundaries around the site in response to the assessment at EX/CYC/59g.</p>
II - Green Belt Boundary	The proposed modification is agreed.	Wording to secure strong green belt boundaries around the site in response to the assessment at EX/CYC/59g.
III – local centre	It is agreed that no changes are required to this criterion.	
IV – education contributions	The proposed modification is agreed. It reflects the latest position in respect of the education requirements for the site.	Modification for clarity and effectiveness (and consistency with modified wording in other strategic site policy).
V – highway impacts	<p>Disagree with the proposed modification.</p> <p>The evidence on potential highway impacts to date has not identified a requirement for off-site works related to ST7. This is confirmed in the Infrastructure Requirements work. It is unnecessary to require mitigation related to other sites, particularly ST15.</p> <p>Preferred wording: Demonstrate that all transport issues have been addressed, in consultation with the Council and Highways England, as necessary, to ensure sustainable transport provision at the</p>	<p>Proposed modification for clarity and effectiveness.</p> <p>It is agreed that the Council's evidence to date does not indicate a need for off-site works, but there are some constrained junctions nearby. The criterion will ensure that assessments required to support a planning application are undertaken, with due regard given to other allocated sites. The Council is not seeking to require ST7 to mitigate impacts of other sites, rather that a ‘proportionate’ approach is applied and that mitigation is only required where there is evidence of need.</p>

	<p>site is achievable. The impacts of the site individually and cumulatively with sites ST8, ST9, ST14 and ST15 should be addressed.</p>	
VI – vehicular access	<p>Disagree with the proposed modification in respect of preventing vehicle access through the open space (OS7).</p> <p>Alternative wording should be:</p> <p>Provide vehicular access from Stockton Lane to the north of the site and/or Murton Way to the south of the site (as shown <u>indicatively</u> on the proposals policies map), with a small proportion of public transport traffic potentially served off Bad Bargain Lane. Access between Stockton Lane and Murton Way will be limited to public transport and walking/ <u>cycling links only be designed to enable vehicular permeability whilst limiting the potential for rat-running through traffic travelling between each of the site's vehicular access points.</u></p>	Proposed modification required to make clear the vehicular access points shown on the proposal maps are indicative at this point and additional clarify on access arrangements.
VII – public transport	The proposed modification is agreed.	Modification for clarity and effectiveness.
VIII – active travel links	It is agreed that no changes are required to this criterion	
IX – open space	The principal of the modification is agreed, and the provision of open space is agreed. However, there is disagreement on the specific requirement for the buffer to be 50m. This is considered unduly restrictive. There is no clear evidence at this point to be able to set/establish the exact width of the buffer. The exact width should therefore be determined at the planning application stage.	Proposed modification to ensure impacts identified in the HRA (2020) as a result of recreational pressure on Strensall Common SAC are mitigated.
X - SINC	<p>Disagree with the proposed modification. It is considered appropriate to delete the criterion as there is no ecological value due to previous infrastructure works that have taken place. The Council have not surveyed this area of the site to determine its value as a candidate SINC, therefore if the criteria is due to the retained can the following wording be included: -</p> <p><u>Should further survey work confirm the 'Osboldwick Meadows' site's value as a candidate Site of Importance for Nature Conservation, the development shall minimise the impacts of access from Murton Way on the 'Osboldwick</u></p>	The proposed modification recognises the habitats are still of value, but do not fully meet the SINC criteria.

	<u>Meadows' site and provide compensatory provision for any loss.</u>	
XI	It is agreed that no changes are required to this criterion.	
Additional criterion	<p>The following is considered necessary to provide clarity for all interested parties at the point of the submission of a planning application on the types of infrastructure/uses that could be delivered outside of the allocation boundary. This is required to ensure the site delivers the number of homes anticipated on the allocation.</p> <p><u>In order to ensure that each of the above policy criterion can be delivered, 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</u></p>	The Council disagrees that this is necessary to be included in the policy as it would effectively duplicate other policy. These uses are, by definition, not inappropriate within the greenbelt.

Endorsement

City of York Council		
<i>Name and Position</i>	<i>Signature</i>	<i>Date</i>
Neil Ferris Corporate Director of Place		25 th July 2022
ST7 Developer Consortium		
<i>Name and Position</i>	<i>Signature</i>	<i>Date</i>
Paul Butler Director PB Planning obo ST7 Developer Consortium		25 th July 2022