

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103562

Date submitted: 21/02/2018

Time submitted: 08:03:31

Thank you for submitting your Local Plan Publication Draft response form (ref: 103562, on 21/02/2018 at 08:03:31) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: David

Surname: Marsh

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should submit a separate form for each issue to you want to raise relating to the Local Plan's publication draft, the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I trust the Officers who have prepared it

Whether the document is/is not 'sound';

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

positively prepared - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

justified - the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence

effective - deliverable over its period and based on effective joint working on cross-boundary strategic priorities

consistent with national policy - enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not consistent with national policy

Please give reasons for your answer(s):

The Plan does not propose the required number of houses in the area over the next few years nor does it cover the need for homes to be built at affordable prices. The Derwenthorpe Village will not proceed with reduced numbers and therefore new facilities like schools will not be built

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: House build numbers and Derwenthorpe

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only

be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

That more homes are planned to be built.

Young people want affordable houses with gardens not flats as proposed

Green belt land should be acquired at only a slight premium over agricultural value and affordable homes built

Derwenthorpe Village Plan should be for enough homes to justify infrastructure like A64 junction, schools and fast busway into York via University

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

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SID 2

Please record this information in your system and take action as appropriate.

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Submission details

Web ref: 103570

Date submitted: 21/02/2018

Time submitted: 09:54:08

Thank you for submitting your Local Plan Publication Draft response form (ref: 103570, on 21/02/2018 at 09:54:08) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Rachael

Surname: Hallam

Name of the organisation/individual/group you're representing:

Address (building name/number and street): ■

Address (area): ■

Address (town):

Postcode: ■

Email address: ■

Telephone number: ■

What are your comments about

You may complete this form more than once - you should submit a separate form for each issue to you want to raise relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

N/A

Whether the document is/is not 'sound';

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

positively prepared - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

justified - the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence

effective - deliverable over its period and based on effective joint working on cross-boundary strategic priorities

consistent with national policy - enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

N/A

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: N/A

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or not:

The gymnasium at the Railway Institute at Queen St is proposed to be "mixed use" i.e. it will be knocked down. This is a very important facility heavily used by local schools and many sports clubs. It is an excellent venue particularly for badminton due to its wood-sprung floor and 9 courts. It is considered such a good venue that many county badminton matches are played here, with teams travelling from outside Yorkshire to use the excellent facilities. There is nowhere else in York with facilities as good as this.

If it is to be demolished, then a facility at least as good, if not better, should be built first to replace this one. In the previous consultation, many people from the Railway Institute and the York and District badminton area gave feedback asking to protect the venue, and these previous comments should not be ignored. With the growing problem of obesity and people doing less sport and exercise, it would be a travesty to knock these facilities down, especially considering that there is supposed to be an "Olympic legacy" in Great Britain. I sincerely hope that these comments are considered. Thank you.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select "No", your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

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SID 3

Please record this information in your system and take action as appropriate.

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Submission details

Web ref: 103581

Date submitted: 21/02/2018

Time submitted: 12:23:46

Thank you for submitting your Local Plan Publication Draft response form (ref: 103581, on 21/02/2018 at 12:23:46) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: John

Surname: Flynn

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should submit a separate form for each issue to you want to raise relating to the Local Plan's publication draft, the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I find these questions not appropriate as primary questions to ask the general public which without full or detailed training would not fully be able to respond with appropriate knowledge.

Whether the document is/is not 'sound';

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

positively prepared - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

justified - the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence

effective - deliverable over its period and based on effective joint working on cross-boundary strategic priorities

consistent with national policy - enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified,not effective

Please give reasons for your answer(s):

I have a issue with the allocation of site H53, which although there is a national requirement for housing the site will deliver little new housing and requires amended a historic village boundary with the only benefit of providing a margin uplift to a company that has landbanked the site for numerous years. This is neither a effective use of resource and moving the boundary to for this is therefore not justified. With recent speeches from e.g. Nick Boles MP this seems to differ from his view also.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Housing

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

The plan needs to be focussed on key areas that will make significant difference and improvements to the area. I object to sites such as H53 being added which add little to contribute to the housing needs and require historic village boundaries to be altered by companies leap frogging on this document.

The village residents have protested against further development for years on this site and previous applications have been rejected. The inclusion of this ignores the views of local residents without looking at the detail behind this site fully. Although complicated there needs to be greater consideration given to H53 and effort spent elsewhere, where a true difference can be made.

The only person the will benefit from planning on this site is a company that have landbanked it for numerous years and will contribute little to the local community, which as Nick Boles MP has raised recently not acceptable.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: webadmin@york.gov.uk
Sent: 21 February 2018 15:59
To: localplan@york.gov.uk
Subject: FW: www.york.gov.uk feedback enclosed.

Follow Up Flag: Follow up
Flag Status: Flagged

Hi There,

We've received the following message (see below) via the City of York Council website 'website feedback' button - the message appears to relate to the Local Plan, so I'm forwarding it for your attention.

I will respond to the customer, advising of the option to take part in the consultation via the form.

Many thanks.

Luke
Web Admin
City of York Council | Customer and Business Support Services West Offices,
Station Rise, York, YO1 6GA www.york.gov.uk | facebook.com/cityofyork |
@CityofYork

-----Original Message-----

From: [REDACTED]
Sent: 21 February 2018 15:39
To: webadmin@york.gov.uk
Subject: www.york.gov.uk feedback enclosed.

Please find here some feedback from the www.york.gov.uk website.

CONTACT DETAILS

Provided by: Mr Dennis Slights

Location: [REDACTED]

Email: [REDACTED]

Telephone: [REDACTED]

COMMENTS

Bearing in mind all the effort put in by, hopefully full informed departments, working for the benefit of us citizens. I endorse this strategic plan.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 21 February 2018 17:02
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

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Submission details

Web ref: 103602

Date submitted: 21/02/2018

Time submitted: 17:02:22

Thank you for submitting your Local Plan Publication Draft response form (ref: 103602, on 21/02/2018 at 17:02:22) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Peter

Surname: Tuffs

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I am just assuming they are compliant - surely at this late stage they are

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified,not effective,not consistent with national policy

Please give reasons for your answer(s):

Site H46 used to be a well-tended sports field (previously Joseph Rowntree School Sports Field) - so good that York City FC used to train on it. Back in the early 1990's the Joseph Rowntree Trust suddenly stopped cutting the grass regularly and fenced the field off. They wanted to build Hartrigg Oaks on this field but were stopped due to public protest (but they built Hartrigg Oaks instead on Green Belt fields opposite). Yet the grass was never cut regularly again and of course people were unable to use it for anything other than dog-walking. This has been the case for over 25 years. Building here will cause yet more traffic on the already busy Haxby Road and at a junction where Hartrigg Oaks and Joseph Rowntree School already cause congestion at certain times (queues to get on the ring road). It is also close to the River Foss and will increase run-off and flood risk.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: H46

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

H46 should be returned to a properly maintained field for recreation other than dog-walking and should not have housing on it.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 21 February 2018 17:16
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

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Please record this information in your system and take action as appropriate.

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Submission details

Web ref: 103605

Date submitted: 21/02/2018

Time submitted: 17:16:07

Thank you for submitting your Local Plan Publication Draft response form (ref: 103605, on 21/02/2018 at 17:16:07) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Anthony

Surname: Paylor

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Policies Map

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? NoCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

My main objection is that when all the proposed new houses are built within the City of York it does not answer the extra load of Transport on the current highways. Although at present there are upgrades to A1237 by making roundabouts bigger these do not really make traffic flow any better. When looking at the plan, any new housing will have impact on the A1237. I believe the only option to accommodate all the extra housing is to dual the existing A1237 and reduce roundabouts by having flyovers over junctions. Of course this option would cause very bad views from adjacent villages. I believe to reduced traffic and allow new housing is for new Dual Carriage road to be built on the outskirts of York. This would accommodate a new housing village on the outskirts of York. No matter how much improvements are made to the existing A1237 it cannot take anymore traffic.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not effective

Please give reasons for your answer(s):

My main objection is that when all the proposed new houses are built within the City of York it does not answer the extra load of Transport on the current highways. Although at present there are upgrades to A1237 by making roundabouts bigger these do not really make traffic flow any better. When looking at the plan, any new housing will have impact on the A1237. I believe the only option to accommodate all the extra housing is to dual the existing A1237 and reduce roundabouts by having flyovers over junctions. Of course this option would cause very bad views from adjacent villages. I believe to reduced traffic and allow new housing is for new Dual Carriage road to be built on the outskirts of York. This would accommodate a new housing village on the outskirts of York. No matter how much improvements are made to the existing A1237 it cannot take anymore traffic.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: transport

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

My main objection is that when all the proposed new houses are built within the City of York it does not answer the extra load of Transport on the current highways. Although at present there are upgrades to A1237 by making roundabouts bigger these do not really make traffic flow any better. When looking at the plan, any new housing will have impact on the A1237. I believe the only option to accommodate all the extra housing is to dual the existing A1237 and reduce roundabouts by having flyovers over junctions. Of course this option would cause very bad views from adjacent villages. I believe to reduced traffic and allow new housing is for new Dual Carriage road to be built on the outskirts of York. This would accommodate a new housing village on the outskirts of York. No matter how much improvements are made to the existing A1237 it cannot take anymore traffic.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 21 February 2018 17:39
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

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Submission details

Web ref: 103606

Date submitted: 21/02/2018

Time submitted: 17:39:10

Thank you for submitting your Local Plan Publication Draft response form (ref: 103606, on 21/02/2018 at 17:39:10) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title:

Forename: David

Surname: Casswell

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

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Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The information supplied confirms this.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not consistent with national policy

Please give reasons for your answer(s):

I don't think there is sufficient provision, protection and availability of social housing proposed.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: This is not confined to one statement

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

The plan needs to be 'wriggle proof'. Too often the inclusion of social housing is forgotten, altered, manipulated out, disappears - when the builders get involved.

The most important part of the plan is to enable proper and protected social housing provision.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 21 February 2018 20:17
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103614

Date submitted: 21/02/2018

Time submitted: 20:17:15

Thank you for submitting your Local Plan Publication Draft response form (ref: 103614, on 21/02/2018 at 20:17:15) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: MR

Forename: Joseph

Surname: Watt

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I have been a member of the LDFWG and Local Plan Working Group in the past and know that the CYC has spent years processing the document correctly and following procedure.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not effective

Please give reasons for your answer(s):

The Document is unsound because it fails to address traffic congestion to the North of York. During the working week, A1237 York Northern Ring-Road congestion adversely impacts York businesses by delaying commercial vehicle movements. At weekends, although there are fewer commercial vehicles on the Ring Road, there is a significant increase in car traffic. This latter increase worsened following the opening of the Monks Cross Vanguard Centre – which is still expanding. Furthermore, congestion levels around Clifton Moor, coupled to poor public transport, have caused local businesses recruitment problems for many years. Therefore, adding thousands more households in the North of York will assure Northern Ring Road 'Gridlock', or near gridlock, on most days for periods extending beyond the working day.

In addition, the Hambleton District Council has plans for significant developments North of York. These will have a major impact on York because they are served mainly by the A19, which feeds into the A1237 Northern Ring Road. The increased congestion caused by these sites, added to the frequent near gridlock that will be met on the A19 Northern approach to York, will result in increased 'Rat-Running' through villages such as Skelton.

It is understood that York's proposals, site ST14 in particular, assume improvements will be made to the A1237. However, no solution to the existing congestion problem will be effective unless it significantly increases traffic flow along the Ring Road between the A59 and Monks Cross - in both directions. A dual carriageway with grade separation at most, if not all, the current roundabouts is essential to achieving this. However, there will be a very high risk of schemes to provide these failing to be funded. Moreover, Section 106 funding to get transport in and out of Site ST14 would be trifling and insufficient to reduce the anticipated congestion.

With the high risks of congestion on the A1237, the damage caused to business by congested transport links and the improbability of effective road infrastructure being funded, it is considered that strategic sites – ST14 in particular – should be removed from North of the A1237 in the Local Plan.

Finally, it is clear that the CYC's proposed plan has been delayed time and again over many years in order to configure sites to serve political expediency rather than York's best interests.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Site ST14 - Land to the West of Wigginton Road.

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Remove Site ST14 entirely from the Plan. Remove other strategic sites from the North of York until Ring-Road upgrading to dual with grade separation is guaranteed.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them; the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		MR
First Name		CHRIS
Last Name		THOMAS
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

See attached letter

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

8.58-8.60

Policy Ref.

D13

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See attached letter

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

See attached letter

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature




¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

Chris Thomas



Economy and Place Directorate
York City Council
West Offices
Station Rise
York YO1 6GA

21 September 2017

Dear Sir/Madam,

**City of York Local Plan – Publication Draft,
February 2018**

These representations are submitted on behalf of the British Sign and Graphics Association in response to Policy D13 and supporting text of the above draft Local Plan.

The BSGA represents 65% of the sales of signage throughout the UK and monitors development plans throughout the country to ensure the emerging Local Plan Policies do not inappropriately apply more onerous considerations on advertisements than already apply within the NPPF, PPG and the Town and Country Planning (Control of Advertisements)(England) Regulations 2007 (as amended).

We made representations on this policy (previously DHE9) and text in response to the Preferred Options and Pre-Publication Drafts in June 2013 and September 2017. We are disappointed to note that very little notice has been taken of our comments; and that Policy D13 still only partly reflects the requirements of the legislation and national planning policy advice. Some parts of the draft remain incorrect and others, we consider, could be improved and simplified.

We consider that subparagraphs (i) and (ii) accurately reflect the matters over which the law permits control; and we note that you have added "position" and "number" to the criteria as we suggested. But this has not been balanced by the other changes we suggested. The policy and text remain unlawful and overly prescriptive for the reasons we give below.

The second part of the draft policy D13(ii) and paragraph 8.60 remain partly wrong in law as they effectively introduce an assessment of "need". Whether the premises

trade at night is not a criterion on which decisions may be based. Local authorities may not concern themselves with the "need" for any particular sign or advertisement depending on hours of trade. This is a matter for the advertiser. The local authority may only consider matters of amenity and public safety as required by the Regulations and confirmed in paragraph 67 of the NPPF and paragraph ID 18b-026-20140306 of the PPG. We consider that all reference to trading as part of the evening economy be removed.

In the supporting text, paragraph 8.58 accurately reflects national policy advice. However, the following paragraphs 8.59 and 8.60 are overly prescriptive and selective. They are also unnecessary, since the proper and only acceptable criteria for control are already identified in policy D13 (if amended as we suggest). For example, there is no justification or need for advice on particular sign types (illuminated box signs, banners, high level signs, hanging signs). If the particular sign proposed is assessed using the criteria in the policy itself, then it will be found acceptable or not without need for any reference to whether it is of a type "not supported". It is for this reason that we suggested in our earlier representations the addition of "position and number" to the criteria in D13(i). This list of criteria will cover (by position) whether high level signs are acceptable; and (by number) prevent proliferation. So we consider that paragraphs 8.59 (apart from the first sentence, which could be removed to paragraph 8.58) and 8.60 are wholly unnecessary following the comprehensive and simple policy D13 if amended as we suggest.

Yours faithfully



Chris Thomas

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 22 February 2018 21:00
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103662

Date submitted: 22/02/2018

Time submitted: 21:00:06

Thank you for submitting your Local Plan Publication Draft response form (ref: 103662, on 22/02/2018 at 21:00:06) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Laura

Surname: Simpson

Name of the organisation/individual/group you're representing:

Address (building name/number and street):

Address (area):

Address (town):

Postcode:

Email address:

Telephone number:

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I am unsure unsure if it does or not

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified,not effective

Please give reasons for your answer(s):

I am commenting on the proposed Copmanthorpe building site. The infastucture in Copmanthorpe would not take another 100 plus houses. The school could not accommodate additional pupils it is already over subscribed and neither could the roads and amenities.

The site proposed floods, it also has a number of types of wildlife including owls and deer as well as numerous bird species. The oak trees are protected and I believe the site is Greenbelt. Getting in and out of Copmanthorpe roads is a night mare already so all the access roads would need to be considered

Which part of the document do your comments on 'soundness' relate to? Please provide a paragpah number, a policy reference or a site reference: ST31

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Not to build houses in Copmanthorpe

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 23 February 2018 11:51
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103670

Date submitted: 23/02/2018

Time submitted: 11:51:08

Thank you for submitting your Local Plan Publication Draft response form (ref: 103670, on 23/02/2018 at 11:51:08) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: mr

Forename: john

Surname: clark

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I have faith in York Council

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not effective

Please give reasons for your answer(s):

The document will allow far too many new builds to go ahead with insufficient increase in roads. Traffic will come to a standstill on the ring road.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: all

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Stop more development in the Haxby area.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.



From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 25 February 2018 14:40
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103721

Date submitted: 25/02/2018

Time submitted: 14:39:58

Thank you for submitting your Local Plan Publication Draft response form (ref: 103721, on 25/02/2018 at 14:39:58) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Ms

Forename: Tracey

Surname: SIMPSON-LAING

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? NoCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

It is clear that an illegal Plan is being submitted to Government as Councillors have ignored the prescribed methodology to calculate the annual housing requirement and have instead set a lower level that is politically driven. In doing so they have gone against the methodology of the NPPF and associated legislation and guidance. Councillors have on numerous occasions ignored the legal advice of Officers and in doing so have set a plan for inspection that will not comply with the letter of the law and so in itself is illegal.

Councillors have also ignored the advice of Officers with regard to the use of 'Windfalls' even though Officers have been clear that the reasoning for the Councillors justification is illegal in its direction.

In setting a Plan that is not legal Councillors have failed in their Duty to Cooperate. ON numerous

occasions they have said 'on record' - which can be viewed on webcasts, that not everyone should expect to live in York and that people can move elsewhere. When neighbouring Councils are meeting their requirements this then means that York is not and is expecting others to take its housing need.

The Council is losing experienced Officers due to Councillors insistence that they submit an illegal Plan and so with that in mid the Inspector should take over the Plan.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified,not effective,not consistent with national policy

Please give reasons for your answer(s):

The methodology used does not follow expected practice and so is not effective in its calculations.

The housing numbers for each year and the total Plan duration have been set against national policy methodologies and so the Plan is 'Not Sound'

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Housing numbers for each year and the total Plan

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

That the housing numbers for each year and the total life of the Plan are calculated using accepted methodology and that Councillors accept the professional advice of Officers and use those figures for the Plan, not ones that are politically driven with regard to elections in 2019

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 25 February 2018 15:14
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103722

Date submitted: 25/02/2018

Time submitted: 15:14:22

Thank you for submitting your Local Plan Publication Draft response form (ref: 103722, on 25/02/2018 at 15:14:22) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Miss

Forename: Barbara

Surname: Roberts

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

[REDACTED] your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Policies Map

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

It appears to meet requirements

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

I consider it to be sound because it designates the land surrounding Askham Bog as Green Belt. This should remain so because it is an important nature reserve and any building in the adjoining area will have a catastrophic impact upon it. Sir Richard Attenborough himself stated that it was as important as York Minster

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Map

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

I have two suggestions to change the local plan as it is important that the green belt remains untouched in relation to Askham Bog

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 25 February 2018 16:13
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103724

Date submitted: 25/02/2018

Time submitted: 16:13:27

Thank you for submitting your Local Plan Publication Draft response form (ref: 103724, on 25/02/2018 at 16:13:27) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: mr

Forename: ian

Surname: peckitt

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

Due to the time taken by York City Council to finally produce this it must have passed all relevant legal requirements.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not effective

Please give reasons for your answer(s):

i do not believe that there is enough evidence of improvements to transportation links of any form to justify the additional building requirements, existing infrastructure cannot cope at present and the plans appear to do little to help this.

this will not encourage investment in the city from businesses/ employers if employees cannot easily travel .

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: st 1, st 2 and A1237 improvements.

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

ensure that any additional building to the northern side of the city does not happen until such time as the A1237 has been upgraded fully for its entire length.

construct new stations at Haxby and Strensall to enable travel into the city by rail.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 27 February 2018 16:07
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103807

Date submitted: 27/02/2018

Time submitted: 16:06:39

Thank you for submitting your Local Plan Publication Draft response form (ref: 103807, on 27/02/2018 at 16:06:39) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Mick

Surname: Wojtkiw

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

Meets all requirements for submission to the Government

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

This document has been positively prepared. My only concern is the 'Garden Village' of 3300+ dwellings and making sure that it has no impact on the surrounding villages (Access etc..).

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Policy SS13

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

I believe that most of the concerns regarding Policy SS13 have been addressed. Full consultation has been reviewed regarding this policy.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.



From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 28 February 2018 20:47
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103853

Date submitted: 28/02/2018

Time submitted: 20:46:47

Thank you for submitting your Local Plan Publication Draft response form (ref: 103853, on 28/02/2018 at 20:46:47) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Ms

Forename: Ruth

Surname: Potter

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The plan does not meet the identified need for housing in York

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified,not effective

Please give reasons for your answer(s):

The plan is not positively preloaded as it does not meet the identified housing need in York. York needs more affordable housing and higher housing allocation than the plan provides. Therefore the plan I sent not based on the evidence of York housing need and is not justified. The plan will not be effective as development cannot be realistically achieved as there is An over reliance of housing windfall sites and over development at York Central (ST35) site.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Section 5, para 5.7 to 5.11 Policy H1 and Policy H10

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Increase the amount of affordable housing On all sites over 15 dwellings to 50%.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 01 March 2018 17:24
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103880

Date submitted: 01/03/2018

Time submitted: 17:23:42

Thank you for submitting your Local Plan Publication Draft response form (ref: 103880, on 01/03/2018 at 17:23:42) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Frank

Surname: Ingledew

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED],

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Sustainability Appraisal/Strategic Environmental Assessment

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

If available I would answer Dont Know as I am not adequately conversant with requirements

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

Really a Dont Know

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Dont Know

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

dont know

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 02 March 2018 13:53
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103921

Date submitted: 02/03/2018

Time submitted: 13:53:04

Thank you for submitting your Local Plan Publication Draft response form (ref: 103921, on 02/03/2018 at 13:53:04) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: John

Surname: Nichol

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I see no reason to suspect this is not legally compliant.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified

Please give reasons for your answer(s):

This plan is based on the wrong assumptions about population growth. They use older, more restricted ONS population estimates whereas the 2017 estimates clearly require many more (3045) houses. Further it takes no account of shortfall in housing approvals over the last decade.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: The required number of properties.

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Expand planned housing numbers by around 4000 and increase proposed size of new villages and add Galtres Village to the plan.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 02 March 2018 17:31
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 103930

Date submitted: 02/03/2018

Time submitted: 17:31:06

Thank you for submitting your Local Plan Publication Draft response form (ref: 103930, on 02/03/2018 at 17:31:06) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Group comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Graham

Surname: Wilford

Name of the organisation/individual/group you're representing: [REDACTED]

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I am not competent to judge whether or not the Plan is legally compliant

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified,not effective

Please give reasons for your answer(s):

Site ST9 – Land North of Haxby

General - Haxby and Wigginton is already a very large centre of population and it is unreasonable to allocate a further large area of land to make it even bigger. In general the shopping and other facilities in the centre of Haxby and Wigginton have developed to meet the needs of the current population. There is no available land to provide for the extension of those facilities to meet the needs of a further 735 houses. The infrastructure – in particular the local road network is already overloaded. The detailed comments follow:

Road Traffic - The two proposed site accesses, to the East and West, are onto existing country 'lanes' which have limited scope, even with local improvements, to take the additional vehicular traffic.

- For traffic heading South from the site, the Usher Lane / Station Road junction will be inadequate to take the extra traffic and will become particularly dangerous, being so close to the Ralph Butterfield Primary School. York Road, Haxby - which will be the main route for traffic wishing to travel east on the Northern Ring Road - is already overloaded with traffic at its junction with Eastfield Avenue, at the railway level crossing and at the roundabout onto the Northern Ring Road – the proposals will only make these worse.

- For traffic heading north from the site, the only way out from Usher Lane and Moor Lane is along the windy country lanes to Strensall. Such traffic is then faced with the hump back single lane bridge over the River Foss and then into West End which is already permanently reduced to single file traffic for much of the length from Robert Wilkinson Primary School to its junction with York Road (Strensall). The alternatives for traffic heading north are either through The Village/Mill Lane, Wigginton, or Station Road/Towthorpe Road Haxby, neither of which are suitable for increased traffic.

- For those that need to commute out of Haxby and Wigginton at peak times, the road network is already seriously overloaded as traffic on the Northern Ring Road, York Rd Haxby and Wigginton Rd daily backs up at both the Haxby and Wigginton roundabouts and regularly causes gridlock at the roundabouts themselves. As there is limited scope for significant road improvements, the proposed development will compound the problems and is most inappropriate.

In the absence of any provision for significant extra employment opportunities within Haxby and

Wigginton, residents of any new development will add to the acute road traffic problems as they travel to work elsewhere.

SS11(ix) glosses over the road traffic problem, as if improvements at the two junctions - Moor Lane with The Village and Usher Lane/Station Rd - will overcome the problem. The problem is wider than that, as it would have a serious detrimental impact on the already overstretched local road network.

Cycling Provision – dedicated cycling paths for cyclists wishing to travel south are grossly inadequate now and any further housing in Haxby or Wigginton will only make that worse.

Parking in Haxby - Haxby provides a very good Shopping Centre including other services, but parking for cars is already inadequate and will be made worse with this additional development. Taking a car to the shops isn't an un-necessary luxury for those that have heavy shopping to take home, or for those that choose to do their weekly shop there, so adding to the sustainability of the retail facilities.

Shops – The Policy SS11(iv) suggests that the proposed ST9 development is sufficient to provide an appropriate range of shops. The experience of the small range of shops provided in Oaktree Lane, Haxby, when that area was developed, demonstrates that this would not be a viable proposition. In Oaktree Lane the original supermarket closed down, with the site then used for housing, leaving one small general store / newsagent and two hairdressers. Further - there is no evidence to support the view that the development would be capable of providing the other services and facilities that Policy SS11(iv) refers to.

Drainage – the foul and surface water systems have barely kept pace with the earlier growth of Haxby and unless significant improvements are made to the existing drainage arrangements, they will be incapable of taking the additional load without a deterioration in its overall performance.

Current Land Use - the site is currently good agricultural land which should not be lost to housing when other sites are available.

If there is a need for further housing north of York, then the ST14 site (Land west of Wigginton Rd) could accommodate a greater number of dwellings than the Local Plan currently envisages. Whilst still preserving the character of the nearby existing communities, this site offers an exciting opportunity for the development of a 'garden village' – for example King's Hill in Kent.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ST9

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Site ST9 should be omitted from the Local Plan

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 05 March 2018 23:19
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Completed

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104017

Date submitted: 05/03/2018

Time submitted: 23:18:52

Thank you for submitting your Local Plan Publication Draft response form (ref: 104017, on 05/03/2018 at 23:18:52) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Roy

Surname: Gibson

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town):

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I believe the document sets out all necessary information clearly

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

I believe it to be sound. Giving consideration to the land North of Haxby as long as these proposed measures are fulfilled such as a new school if required, then I feel it is in for that development, a well thought out plan.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Ss11

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

[Redacted]

From: Ray McDonough [Redacted]
Sent: 06 March 2018 16:01
To: localplan@york.gov.uk
Subject: Comments
Attachments: local Plan.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Please see attached my comments for the local plan.

Regards

RAY McDONOUGH

[Redacted]

[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

[Redacted] [Redacted]
[Redacted] [Redacted]
[Redacted] [Redacted]

[Redacted]

[Redacted]

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Raymond	
Last Name	McDonough	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
 Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

This plan is not based on any of the above criteria but simply which land is available for sale.

Having identified the available land then this document is created. Anybody, like me, who lives in Haxby knows we are full. It is impossible to park in Haxby now and the few available places you can park are rarely policed to ensure a regular turnover. I moved here when it was a village and seen it grow into a town with no visible improvements or to the infrastructure, we have lost the library the teenagers still have nowhere to go of an evening and yet a Memorial Hall stands empty most of the time.

The access roads to this proposed development have not been properly considered as simply driving them will tell you they are not suitable and are merely country lanes with no white lines, cat's eyes or any safety features at all. The exit into Strensall is via a junior school when during the drop off and pick up times for the children is complete gridlock due to the residents of the street parking on the road. The same applies at the Haxby end.

There will be accidents on this route.

It seems to me that the only logical site is Strensall Barracks and its neighbouring land where there are good access roads to the A1237 and A64. The land adjoining the barracks that was used as a shooting range once cleaned up is more than adequate for any growth plans.

All of us know who live here know that the A1237 should have been a dual carriageway but because of the short sightedness of the council is a slow moving car park during peak hours. You are simply adding to it.

You need to come out of your offices, get in the car and drive round and see for yourself that what you are proposing whilst satisfying some misguided government target does not meet the needs of the people who live her.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

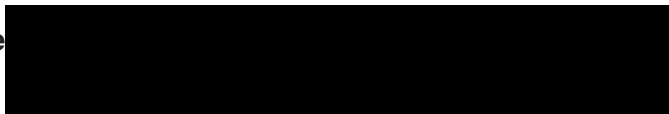
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

6 Mar 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

City of York Council

07 MAR 2018

RECEIVED

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr.	
First Name	John	
Last Name	Millett	
Organisation (where relevant)	River Foss Society	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use **this consultation response form**. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

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Do I need to attend the Public Examination?

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Part B -Your Representation

(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment



What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

I believe that the documents have been prepared in line with statutory regulations.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

5.(1) Do you consider the document is Sound?

Yes[^] No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared **Justified**
Effective **Consistent with national policy**

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

I consider that question 5(1) means fit for purpose and positively prepared.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

We consider that the Castle Gateway project(Policy SS5)is extremely important and where possible the opening up of frontage on both sides of the river Foss, including behind the Debtors Prison, with cycle and pedestrian access should be a priority. It is important to include a new footbridge over the Foss linking Castle carpark with Piccadilly, this would be a valuable communication access to the city centre.. The new footpath should be extended from Castle Mill Lock to cross the busy main road via a traffic lights controlled pedestrian crossing.

We agree with the policy of maintaining river Foss water quality(v11) also improvements to biodiversity (111) and to avoid loss of Sites of Importance for Nature Conservation(SINC sites). But the protection of the Foss Corridor is not specifically mentioned.

Under Policy ENV4; Flood risk, no mention is made of Flood Water retention in the Foss Corridor.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

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Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

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Signature



Date

5th March 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

City of York Council

- 8 MAR 2018

RECEIVED

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

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Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Kevin Graham	
Last Name	Ogilvy	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

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Guidance note



Where do I send my completed form?

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- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
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Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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Do I need to attend the Public Examination?

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Part B -Your Representation

(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

I would have thought that CYC would do everything by the book.

To be Legally compliant and to comply with any Duty to cooperate.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

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Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared **Justified**
Effective **Consistent with national policy**

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no. Policy Ref. Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

I would have thought that CYC would do everything by the book.
To be as Sound as it ever can be.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

***Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

n/a

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

n/a

8) General comment

I just want to say in conclusion that I am sure you will or have had a replay from Strensall with Towthorpe Parish Council and I totally agree with all comment.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information



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Signature



Date

6/3/18

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City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:
City of York Council
ID reference:

12 MAR 2018

RECEIVED

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Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mrs	
First Name	Daphne	
Last Name	Taylor	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

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(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

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4. (1) Do you consider the document is Legally compliant?

Yes No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

All seems in order

What does 'Sound' mean?

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Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?
 Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

- | | | | |
|---------------------|-------------------------------------|---------------------------------|--------------------------|
| Positively prepared | <input checked="" type="checkbox"/> | Justified | <input type="checkbox"/> |
| Effective | <input checked="" type="checkbox"/> | Consistent with national policy | <input type="checkbox"/> |

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.	<input type="text" value="ALL"/>	Policy Ref.	<input type="text" value="environment clear air green space affordable housing"/>	Site Ref.	<input type="text"/>
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5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

~~is~~ This document is very poor and is NOT a SOUND local plan.
 It ignores most of what was published in 2010 in York - New City Breakdown - Toward an Economic Vision.
 There is NO provision to improve air pollution, affordable housing or a coordinated green space.
 The plan should be rejected.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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Firstly this is far too complex to be answered in a KBAM. The plan is a feeble attempt to be compliant. It does not have any vision for the future of the city and needs to adopt the vision set out in the York Economic Vision document published in 2010. One specific issue is clean air - Bodmon and Cullygate fail on this measure - yet there is no proposal to reduce traffic - especially the hundreds of cars that drive around St Peter's school in Bodmon.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

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Signature



Date

8/3/18

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: ycc@york.gov.uk
Sent: 08 March 2018 10:46
To: localplan@york.gov.uk
Subject: FW: York's Local Plan

----- Original Message -----

From: [REDACTED]
Sent: 2018-03-06 15:09:12.887
To: ycc@york.gov.uk
Subject: York's Local Plan

Dear Sir/Madam,

I received a York's Local Plan pamphlet through the post and wanted to participate. I found the draft Local Plan online and began to read it unfortunately I found it profoundly difficult to understand. I then decided to find the feedback form to comment and explain how difficult it was to understand the draft Plan and put forward a suggestion. Again I found the form to be unreasonably long and time consuming to fill out.

My thoughts on the draft Local Plan are therefore extremely limited and contained within this email plus a couple of observations.

1. Having driven past the barracks at Strensall and knowing that there is a severe affordable housing shortage I wondered why these houses could not be used for this purpose.

Observations.

1. In order for York residents to participate in developing the Local Plan it has to be in a form that ordinary people can read and understand.
2. To obtain a response the feedback needs to be made as easy as

possible.

3. The pamphlet delivered through my door has made me aware something is going on but I'm afraid I have not been able to participate which is frustrating for me and I suspect for many others to.

I would be most grateful if this email could be forwarded to the appropriate department within York City Council.

Regards

Roger Dickinson

York resident

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 08 March 2018 21:05
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104116

Date submitted: 08/03/2018

Time submitted: 21:04:33

Thank you for submitting your Local Plan Publication Draft response form (ref: 104116, on 08/03/2018 at 21:04:33) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Andrew

Surname: Dickinson

Name of the organisation/individual/group you're representing:

Address (building name/number and street): ■

Address (area): ■

Address (town): ■

Postcode: ■

Email address: ■

Telephone number: ■

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? NoCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The local plan has been produced without any public consultation whatsoever. Residents, community groups and local councillors should have been integral to the production of this document rather than, as is clearly the case here, a mere afterthought.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not consistent with national policy

Please give reasons for your answer(s):

There has been absolutely no attempt for York residents to shape the local plan or to have any meaningful influence over any of its key decisions. The document fails to address the shortage of affordable homes required in York, a fundamental requirement for any local plan and, probably, one of the most pressing issues facing many young residents. This reaffirms my belief that the plan has been produced in isolation by unelected bureaucrats out of touch with the needs of ordinary people.

This 316 page document is nothing short of another tool for developers to force through unwanted and detrimental developments harmful to the cohesion and fabric of local communities.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: The document fails to address the shortage of affordable homes required in York, a fundamental requirement for any local plan and, probably, one of the most pressing issues facing many young residents.

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Increase the number of affordable homes.

The community need to be engaged with the production of the document.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? Yes hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

To make my opinions heard. York Council lack integrity and I have no confidence this process will be undertaken fairly, honestly and with a the level of professionalism that York residents should expect.

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 08 March 2018 21:30
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104117

Date submitted: 08/03/2018

Time submitted: 21:30:27

Thank you for submitting your Local Plan Publication Draft response form (ref: 104117, on 08/03/2018 at 21:30:27) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Andrew

Surname: Dickinson

Name of the organisation/individual/group you're representing:

Address (building name/number and street): ■

Address (area): ■

Address (town): ■

Postcode: ■

Email address: ■

■

■ your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? NoCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

There has been no assessment of the impact these proposed developments will have on an already overstretched and highly congested road network.

The creation of new retail and office space at ST5 for example will add significant amounts of traffic to the A19, water lane, Clifton Bridge and the various tributary roads, many of which are residential streets. The road safety implications of this plan have not been adequately addressed.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to

explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified,not effective,not consistent with national policy

Please give reasons for your answer(s):

See previous answer regarding transport and road safety. Air quality etc. has also not been considered

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Throughout

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Consideration of traffic and changes to highway network need to be considered.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? Yes hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

I live in York, I work in York and my family are in York. This plan is a ticking time bomb and needs to be stopped.

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 11 March 2018 08:51
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104162

Date submitted: 11/03/2018

Time submitted: 08:50:40

Thank you for submitting your Local Plan Publication Draft response form (ref: 104162, on 11/03/2018 at 08:50:40) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Richard

Surname: Wilson

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

Otherwise it would be thrown out by government without any consideration of the merits of the plan.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

I believe it meets the practical and realistic housing needs of the local area whilst safeguarding important areas of green belt and SSSI's.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ST10

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

None

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 11 March 2018 22:51
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104181

Date submitted: 11/03/2018

Time submitted: 22:51:09

Thank you for submitting your Local Plan Publication Draft response form (ref: 104181, on 11/03/2018 at 22:51:09) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title:

Forename: Karen

Surname: Gegg-Brega

Name of the organisation/individual/group you're representing:

■

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The plan respects in full all the requirements

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

The plan respects the requirements of the people living in York

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Paragraph 4

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: Lowfields Action Group [REDACTED]
Sent: 12 March 2018 09:53
To: localplan@york.gov.uk
Subject: Representations from Save Lowfields Playing Field Action group on Publication Draft Local Plan 2018
Attachments: Save Lowfields Playing Field March 2018 Comments_form Local Plan publication Issue 1 .docx

Please find our representations on the City of York Local Plan Publication Draft 2018

Save Lowfields Playing Field Action Group

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

<p>OFFICE USE ONLY:</p> <p>ID reference:</p>

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Phil	
Last Name	Young	
Organisation (where relevant)	Save Lowfields Playing Field Action Group	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes No

4.(3) Please justify your answer to question 4. (1) and 4. (2)

Our comments refer to the process used to determine the future of the Lowfields Playing Fields.

These playing fields are in the ownership of the City of York Council. The Council failed in its duty to consult impartially. Indeed, it submitted a planning application, to develop the playing field, at the same time as it was consulting on the sites Local Plan designation (Autumn 2017).

This disadvantaged those residents who had lodged objections to the change of use at earlier iterations of the Local Plan

NB. Development site 5 (Lowfields) is incorrectly represented on the Councils maps. Part of the site is currently open space.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes

No

If yes, go to question 5. (4). If no, go to question 5. (2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

5

Policy Ref.

Housing Allocations

Site Ref.

H5

5.(4) Please give reasons for your answers to questions 5. (1) and 5. (2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Lowfields (playing field) development proposal (Section 5 site H5 page 92) Is in conflict with other draft Local Plan policies including

- para 2.17 Policy DP2: Sustainable Development “conserving and enhancing York’s Green Infrastructure, including biodiversity, whilst promoting accessibility to encourage opportunities for sport and recreation”
- para 2.19 Policy DP3: Sustainable Communities “vi. deliver new development within a framework of linked multifunctional green infrastructure incorporating existing landscape areas and biodiversity value, and maximising linkages with the wider green infrastructure network; and ix. protect and enhance the natural environment through habitat restoration and creation”
- Policy GI5 : Protection of Open Space and Playing Fields para 9.14 – 9.18 “**Development proposals will not be permitted which would harm the character of, or lead to the loss of, open space of environmental and/or recreational importance** unless the open space uses can be satisfactorily replaced in the area of benefit and in terms of quality, quantity and access with an equal or better standard than that which is proposed to be lost. Where replacement open space is to be provided in an alternative location (within the area of benefit) the replacement site/facility must be fully available for use before the area of open space to be lost can be redeveloped”.
- Policy GI6: New Open Space Provision “**All residential development proposals should contribute to the provision of open space for recreation and amenity.** The successful integration of open space into a proposed development should be considered early in the design process. The precise type of on-site provision required will depend on the size and location of the proposal and the existing open space provision in the area. Where there are deficiencies in certain types of open space provision in the area surrounding a proposed development, the Council will seek variations in the component elements to be provided by the developer to help to overcome them. Requirements will be calculated using the Council’s up to date open space assessment and will be in line with the Council’s Green Infrastructure Strategy”.

The policy says, “Development proposal will be supported which protects playing pitch provision except where a local area of surplus is indicated n the most up to date Playing Pitch Strategy”. **There is a shortage of open space in the Westfield Ward generally and in the Lowfields area specifically**

No local compensatory open space is offered for the losses at Lowfields (see page 172)

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

We would wish to see the number of homes allocated to the Lowfields development in Section 5 site H5 page 92 reduced from 162 to a maximum of 120 homes (plus the 80-bed care home). Development would be restricted to the former built footprint of the 5.4 ha site (as was promised by the Council when the Lowfields school closure was announced in 2008, and which was subsequently respected, in every iteration of the emerging Local Plan, until 2016).

We have already evidenced to the York Council how development could be achieved while retaining the present, well used, sports pitches. The playing fields would continue as public open space and would incorporate the existing sports pitches. The open space (2.7 ha) would be further managed to conserve natural flora and fauna while improving play facilities.

The development would then conform with the green infrastructure and healthy living sections of the Local Plan

The Westfield Ward currently has a deficit in all types of open space including -26.6 ha on natural and semi natural space, -4.98 ha of outdoor sports facilities, -6.10 ha of amenity green space and -6.02 ha of children's play areas. (Source: City of York Council open space study)

7.(1). If your representation is seeking a change at question 6. (1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

I am happy to attend the Inquiry and answer questions if required.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

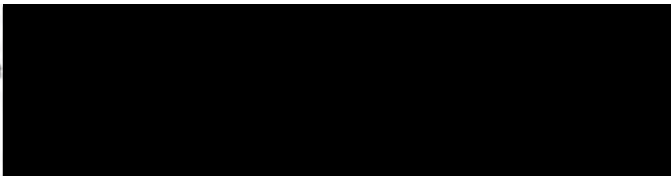
Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature		Date	<input type="text" value="02/03/2018"/>
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¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

Save Lowfields Playing Field Committee & Supporters

Mr Phil Young

Mrs Sarah Young

Miss Charlotte Young

Miss Lily Young

Jacqueline Simpson

Sheryl Toyne

Mark Toyne

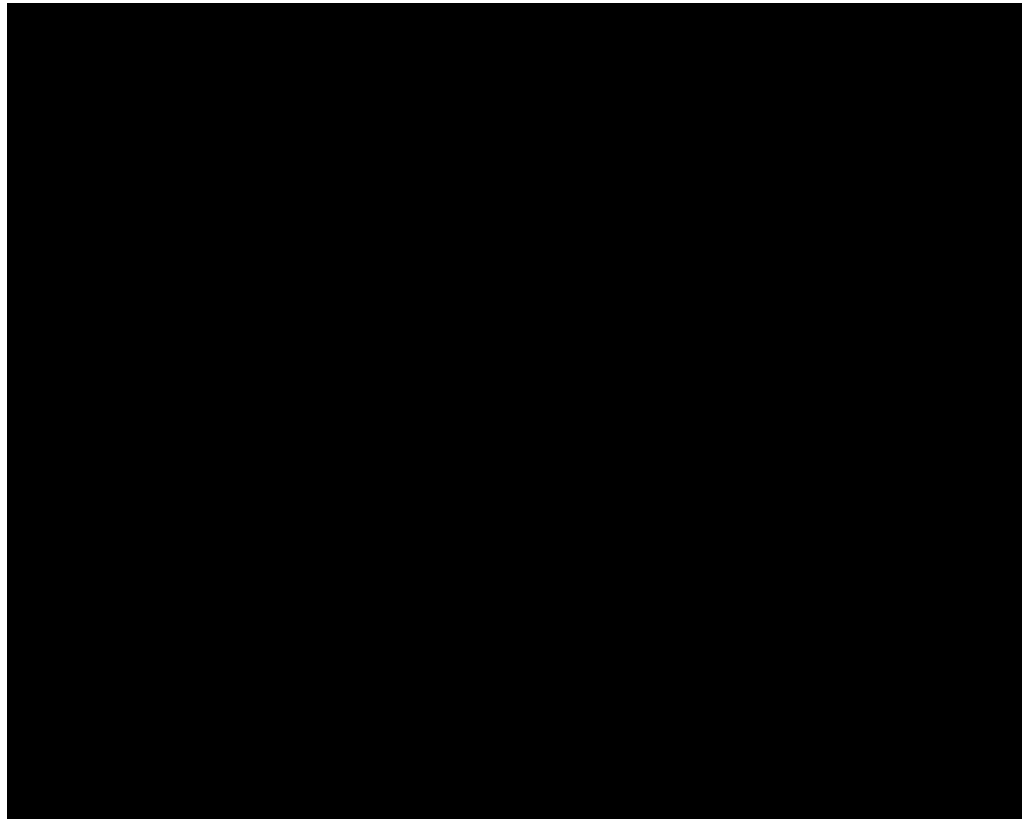
David Fairley

Amy Fairley

I Darby

Julie Groves

Mark Pulleyn



Supporter

Steve Galloway



From: Planning [planning@yorkconsort.gov.uk]
Sent: 12 March 2018 14:24
To: localplan@york.gov.uk
Subject: RE: City of York Local Plan - Publication Draft (February 2018) Consultation

Dear Sir / Madam

Many thanks for the opportunity for the Internal Drainage Board to participate in this consultation process.

The Board's position is that it is always seeking that, wherever possible, the risk of flooding should be reduced and that, as far as is practicable, surface water arising from a developed site should be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development. This should be considered whether the surface water arrangements from the site are to connect to a public or private asset (watercourse or sewer) before out-falling into a watercourse or, to outfall directly into a watercourse in the Board area.

The Board believes that, in an area where drainage problems could exist, development should not be allowed at any location until the Local Authority is satisfied that surface water drainage has been satisfactorily provided for. And any approved development should not adversely affect the surface water drainage of the area and amenity of adjacent properties.

In addition the Board does not consider that development within Flood Zone 3 is desirable or sustainable in the longer term.

The Board normally focuses on providing responses on individual developments that are either within the Board's drainage district, or are likely to impact on its activities.

Kind Regards

Julian Spaul ; 

This e-mail, together with any attachments, is confidential and is intended solely for the individual to whom it is addressed. The views expressed are that of the author and do not constitute or imply the endorsement or recommendation of the Drainage Board. If you are not the intended recipient please inform the sender immediately.

Whilst the Board does run anti-virus software, you are solely responsible for ensuring that any e-mail or attachment you receive is virus free and the Board disclaims any liability for any damage you suffer as a consequence of receiving any virus.

From: localplan@york.gov.uk [<mailto:localplan@york.gov.uk>]
Sent: 21 February 2018 11:54
Cc: localplan@york.gov.uk
Subject: City of York Local Plan – Publication Draft (February 2018) Consultation

City of York Local Plan – Publication Draft (February 2018) Consultation

in compliance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012

I am writing to inform you about the opportunity to comment on the Local Plan Publication draft (February 2018) document.

The emerging Local Plan aims to support the city's economic growth, provide much needed housing and help shape future development over the next 15-years and beyond. It balances the need for housing and employment growth with protecting York's unique natural and built environment.

You may be aware that the Local Plan has been prepared over a number of stages. Previous consultation has taken place on Preferred Options (2013), Further Sites Consultation (2014), Preferred Sites Consultation (2016) and Pre-Publication Draft consultation (2017), which you may have been involved with. We have considered the responses received at all stages, together with other available evidence, as part of preparation of the plan.

We are now publishing the City of York Local Plan Publication draft to provide an opportunity for representations to be made regarding legal compliance and the 'soundness' of the Local Plan, before it is submitted for Examination in Public by an independent Planning Inspector.

The consultation period for the Local Plan Publication draft (2018) document starts on **Wednesday 21st February 2018**. All consultation material will be live on the Council's [website](#) and available in libraries from this date. Please see the [Statement of Representation](#) Procedure document, for more information.

Representations must be received by **midnight on Wednesday 4th April 2018** and should be made on a response form. Response forms are available on the Council's [website](#) or you can complete an online response form via www.york.gov.uk/consultations. Alternatively, hard copies are available from the Council's West Offices reception or from your local library.

Any representations received will be considered alongside the Local Plan Publication draft when it is submitted for Examination in Public. The purpose of the Examination is to consider whether the Local Plan complies with relevant legal requirements for producing Local Plans, including the Duty to Cooperate, and meets the national tests of 'soundness' for Local Plans (see overleaf). Therefore, representations submitted at this stage must only be made on these grounds and, where relevant, be supported with evidence to demonstrate why these tests have not been met.

Legal Compliance

To be legally compliant the Joint Plan has to be prepared in accordance with the Duty to Cooperate and legal and procedural requirements, including the 2011 Localism Act and Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

Soundness

Soundness is explained in paragraph 182 of the National Planning Policy Framework (NPPF). The Inspector conducting the Examination in Public has to be satisfied that the Local Plan is 'sound' – namely that it is:

- **Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements

from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

- **Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework (NPPF).

To help you respond, we have included Guidance Notes as part of the response form. We recommend that you read this note fully before responding.

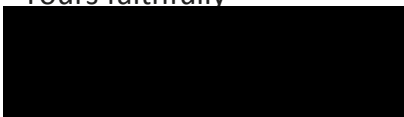
At this stage, unless you indicate you wish to appear at the Examination to make a representation you will not have the right to do. Any written representations made will be considered by the independent Planning Inspector.

All of the consultation and further evidence base documents published at previous rounds of consultation will also be available on the Council’s website at www.york.gov.uk/localplan from 21st February 2018.

If you require any further information on the consultation please contact Strategic Planning at localplan@york.gov.uk or on (01904) 552255.

We look forward to receiving your comments.

Yours faithfully



Mike Slater
Assistant Director – Planning and Public Protection

Help protect the environment! - please don't print this email unless you really need to.

This communication is from City of York Council.

The information contained within, and in any attachment(s), is confidential and legally privileged. It is for the exclusive use of the intended recipient(s). If you are not the intended recipient(s), please note that any form of distribution, copying or use of this communication, or the information within, is strictly prohibited and may be unlawful. Equally, you must not disclose all, or part, of its contents to any other person.

If you have received this communication in error, please return it immediately to the sender, then delete and destroy any copies of it.

City of York Council disclaims any liability for action taken in reliance on the content of this communication.

City of York Council respects your privacy. For more information on how we use your personal data, please visit <http://www.york.gov.uk/privacy>

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 12 March 2018 15:30
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104204

Date submitted: 12/03/2018

Time submitted: 15:29:49

Thank you for submitting your Local Plan Publication Draft response form (ref: 104204, on 12/03/2018 at 15:29:49) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Gareth

Surname: Thompson

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Sustainability Appraisal/Strategic Environmental Assessment

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I just want to raise some key concerns about H31?

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified

Please give reasons for your answer(s):

My major concerns with the Eastfield Lane development are as follows:

As a resident who lives on [REDACTED] I am primarily concerned about the increase in traffic flow in front of my property, to and from the new houses by new residents and building contractors. The road is very busy through the daytime with commuters often using it as a through road to get from the A1066 to the A1079 or vice-versa. The traffic will often travel at speed exceeding 30mph as commuters are keen to get to work. As a father [REDACTED] this level of traffic is making me increasingly nervous about her safety.

If the Eastfield Lane development goes ahead would it be possible for the council to consider a way to deter commuters from using Dunnington as a short cut? Such as the installation of traffic lights or a new road/bypass of Dunnington to be considered? Or would it be possible to stop heavy haulage vehicles such as trucks and lorries using Dunnington/Church Balk? Could there be a consideration of installing speed bumps at certain points of Church Balk to slow traffic?

Then there is the issue of the Eastfield Lane/Church Balk junction near the S-bend which is already fraught. Increased traffic flow to the development would most certainly mean more frequent accidents. Large vehicles such as buses already struggle to manoeuvre around the S-bend and traffic has to stop while they do. There are many families including my own that attempt to cross the road here and its becoming increasingly dangerous.

If the council are not willing to address the traffic issues in Dunnington then I believe adding further properties to an already congested village would have a negative impact on the well-being and safety of its residents, especially those who would live on the through road like myself.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: H31 - No consideration to increased traffic through Dunnington/Church Balk.

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

I suggest the council take consideration and give real solutions to the traffic issues through Eastfield Lane/Church Balk - not just discuss street widening and vague notions. Real solutions would be appreciated before any planning decisions about H31 are made.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

City of York Council

13 MAR 2018

RECEIVED

March 5th 2018

Dear Sir,

I am writing once again to object to the York Plan and the impact it would have on Elvington.

I do not object to the new town planned for our doorstep provided that access roads are provided for it which keep the new traffic away from our village route to Grimston Bar. This road is already dangerous because of HGV vehicles which use it as a way to the motorway.

Has anyone from York City Council visited Church Lane in Elvington? Every house down the lane has at least two vehicles. The lane is one car wide. There is church and farm traffic

The recycling lorry can't get up the lane so a smaller van has to come on a different day to the rest of the village for lane recycling items. How can you suggest emergency vehicles could use this road?

More houses would mean more children for the over-crowded school and more patients for the surgery. I is already a three week wait for an appointment.

The traffic through the village is already dangerous due to HGVs and another 64 vehicles from 32 houses plus traffic from industrial estates would turn the village street into a death trap.

Your faithfully,

Jennifer J Woodford.

**City of York Local Plan
Publication Draft 2018
Consultation response form
21 February – 4 April 2018**

OFFICE USE ONLY:

ID reference:



This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	
First Name	JENNIFER	
Last Name	WOOD FORD	
Organisation (where relevant)	—	
Representing (if applicable)	—	
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

- City of York Local Plan Publication Draft
- Policies Map
- Sustainability Appraisal/Strategic Environmental Assessment

ST39
 Land at the
 top of Becks side

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

NOT SOUND. INFRASTRUCTURE REQUIREMENTS INCLUDES EMERGENCY EXIT INTO SINGLE LANE CHURCH LANE WITH PARKED CARS ALWAYS PRESENT.
NOT JUSTIFIED. LANE IN DAUBY LANE PROVIDES MORE HOUSING UNITES VILLAGE. PREFERRED BY VILLAGE PEOPLE.
32 HOUSES INCREASES VILLAGE TRAFFIC IN CENTRE OF VILLAGE BY AT LEAST 64 VEHICLES

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
 Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

NOT SOUND - TRAFFIC ISSUES, CONGESTION
 in VILLAGE CENTRE
 EMERGENCY VEHICLES WILL NOT BE
 ABLE TO USE CHURCH LANE SWIFTLY
 DUE TO PARKED CARS AND TRAFFIC
 NOT JUSTIFIED - LAN~~D~~ INDAUBY LANE WOULD
 MAKE MORE SENSE. IT IS IN CENTRE OF
 THE VILLAGE. LESS CONGESTION AT
 BOTTLE NECK AT BECKSIDE EXIT
 WHICH IS THE NARROWEST PART OF
 THE VILLAGE STREET.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

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As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145).

Signature



Date

21-3-2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 13 March 2018 15:16
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104231

Date submitted: 13/03/2018

Time submitted: 15:15:39

Thank you for submitting your Local Plan Publication Draft response form (ref: 104231, on 13/03/2018 at 15:15:39) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: ms

Forename: n

Surname: scaife

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I have no idea if the document is legally compliant, this is not what I have an issue with

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not effective

Please give reasons for your answer(s):

York is a small city and does not have the infrastructure, roads and services to facilitate it at it's current size without massive expansion.

The roads cannot cope with the current congestion, it can take one hour to get from the east to the west on the outer ring road (A1237) a distance of 5 miles. With even more housing this road and others will become even more congested.

There is no sensible traffic planning in York, the A1237 should have always been constructed as a dual carriageway and I have never seen any plans to change this. The layout out at York Station is so badly designed and changes are made to lanes and traffic lights that worsen the situation and then are often reverted back to the original system. There obviously is not experienced enough personnel in the York highways department.

It will totally ruin the appeal of York being an attractive and historic small city.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: All

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

A dual carriageway outer ring road.

A main hospital outside of the city centre but easily accessible to all sides of York.

Better highway planning and design.

Infrastructure and services to cope with the expansion before it happens.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

<p>OFFICE USE ONLY City of York ID reference: Council 14 MAR 2018 RECEIVED</p>

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	
First Name	DAVID	
Last Name	RANDON	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
 Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

I consider that the proposed site is unsuitable for housing development on the scale proposed for the following reasons:-

1. The inability of the local infrastructure to support the development.
2. The proposed close proximity of parts of the development to the adjacent industrial estate is unlikely to be in accordance with planning guidance.
3. The area of the proposed site to the south-west of the industrial estate and previously identified for its expansion should be retained for that purpose.
4. A significant proportion of the proposed site is on greenfield (grade 2) land and also within the recognised Green Belt.
5. Previous proposals for housing development and amending the Green Belt boundary were rejected.
6. The housing development proposed would not enhance the special character/appearance of the Wheldrake Conservation Area and would adversely affect the village western gateway by re-location of the industrial estate expansion (site reference EB). (See also 3 above).

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

The proposal at ST15 to "bolt on" to the village a relatively large housing development should be reviewed with respect to proposals for a "Garden Village" (Langwith) to the north-west of Wheldrake.

There is a clear consensus that whilst a limited amount of new housing could be accommodated in Wheldrake, the preferred plan would be to include most housing development in the new Village with its associated infrastructure.

The plan would be sound with this suggested modification

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

I consider that the proposed site is unsuitable for expansion of the Wheldrake industrial estate for the following reasons:-

1. The present area of green space at the proposed site location is beneficial at the main approach to the village from the west. This should be retained. It is also close to the western boundary of the village Conservation Area with an obvious detracting impact.
2. Any expansion of the industrial estate should be considered in conjunction with the proposals for housing development (Site ST33 in the Local Plan draft) including all existing structures and uses.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

The proposal at E8 to expand the industrial estate would have significant adverse impact on the appearance of the village entry and the Conservation Area.

There should be a re-consideration of whether any expansion is necessary or desirable and if it is then how the industrial estate and adjacent housing proposals are compatible with good planning practice.

At present the proposed E8/ST33 interface is unsound.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

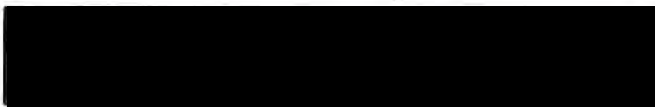
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

08/03/2018 .

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:	City of York Council
ID reference:	
15 MAR 2018	
RECEIVED	

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR.	
First Name	DAVID	
Last Name	DICK	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

THESE QUESTIONS ARE BEYOND MY UNDERSTANDING SO I AM UNABLE TO MAKE COMMENT.
I AM JUST A VILLAGE RESIDENT WITH NO LEGAL KNOWLEDGE

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
 Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

STATION YARD WHELDRAKE

AS SOME VILLAGE PRIMARY SCHOOL CHILDREN HAVE ALREADY TO BE SENT OUT OF WHELDRAKE DUE TO LACK OF PLACES, IT IS ONLY FAIR TO EXISTING RESIDENTS THAT THE SCHOOL BE EXPANDED BEFORE EVEN MORE DEVELOPMENT IS CARRIED OUT.

THE VILLAGE IS GROWING FASTER THAN ITS INFRASTRUCTURE CAN PROVIDE

AN ADDITIONAL 148 HOUSES WOULD INCLUDE ANOTHER 200 PLUS CARS

IT IS MOST DIFFICULT TO LIVE IN WHELDRAKE WITHOUT A CAR FOR WORK AND SUPERMARKET SHOPPING.

IS THE INCREASE COMPATIBLE WITH THE POLICY OF RESTRICTING POLLUTION AND ROAD USE

THIS SITE HAS BEEN REFUSED IN THE PAST BY A PREVIOUS GOVERNMENT INSPECTOR.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

***Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

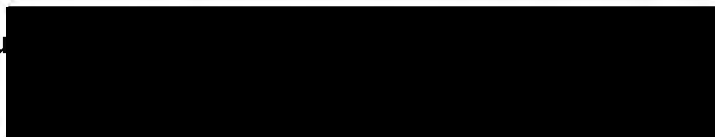
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145).

Signature



Date

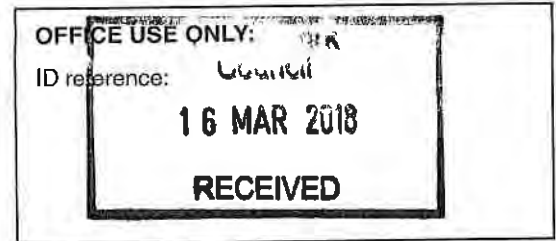
10 - 3 - 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018



This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	
First Name	DAVID	
Last Name	DECK	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

I DO NOT UNDERSTAND THE QUESTIONS ASKED
HERE.

ALL I WISH TO DO IS MAKE COMMENT ON
A SPECIFIC SITE.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
 Effective Consistent with national policy

5.3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

WHELDRAKE INDUSTRIAL ESTATE

THIS AREA OF OPEN GRASS LAND GREATLY ENHANCES THE APPROACH TO THE VILLAGE, AND MAKES THE INDUSTRIAL SITE LESS INTRUSIVE

—

TO BUILD INDUSTRIAL BUILDINGS ON THIS OPEN GREEN APPROACH TO THE WHELDRAKE CONSERVATION AREA OF MAIN STREET WOULD DEGRADE THE GREAT VALUE RESIDENTS HAVE OF THEIR HISTORIC VILLAGE STREET.

—

UNLIKE MOST OTHER VILLAGES, WHELDRAKE DOES NOT HAVE A VILLAGE GREEN. DEVELOPMENT HAS BEEN SO INTENSE AND UNPLANNED THAT ALL LAND HAS BEEN BUILT ON.

WE ARE LEFT WITH NO MEANINGFUL OPEN SPACE PUBLIC OF OTHERWISE. SITE E8 IS JUST ABOUT ALL WE HAVE.

PLEASE DO NOT TAKE THAT AWAY FROM US

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

10 - 3 - 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 14 March 2018 16:10
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104272

Date submitted: 14/03/2018

Time submitted: 16:09:35

Thank you for submitting your Local Plan Publication Draft response form (ref: 104272, on 14/03/2018 at 16:09:35) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Kay

Surname: Stead

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The document complies with the law as I understand it.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

The document is clear and covers relevant information.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Land East of Metcalfe Lane

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: Becky lingwood [REDACTED]
Sent: 14 March 2018 16:17
To: localplan@york.gov.uk
Subject: My Comments Form Regarding the proposed developments at Elvington
Attachments: Comments_form_FINAL (3).docx

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Miss	
First Name	Becky	
Last Name	Lingwood	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

Regarding "A new town with 3339 houses to be built just north of the village":

This is not environmentally sound! Over 3000 houses would cause too much pollution; 3000 houses would mean 3000 cars or more. Elvington already has lots of traffic rushing through the village, industrial traffic and traffic from surrounding villages/commuters. I moved here to get away from the Germany beck development at Fulford; that was 700+ houses and the infrastructure there is already overloaded, what was once a peaceful village is now a polluted suburb. There is wildlife in Elvington that Fulford has unfortunately lost due to destruction of natural habitats for Yellowhammers, goldfinches and great spotted/Green woodpeckers. We have the equivalent of a nature reserve on our doorstep. Our heritage would be destroyed beyond recognition

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared **Justified** x

Effective **Consistent with national policy**

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

3000 houses is the equivalent of 300 cars or more. Pollution would increase tenfold.

Elvington is a peaceful village with a rich heritage going back to Domesday. The wildlife here deserves protecting; we have Yellowhammers, goldfinches and green woodpeckers/great spotted woodpeckers. These birds are not common and require particularly peaceful habitats.

Having left the Germany Beck area of Fulford to escape the 700+ houses being built there, I have seen the destruction and profound increase in traffic pollution of a former village. The infrastructure is not designed to cope with this overload, and neither is Elvington. We already have lots of industrial and commuter traffic coming through the village. These housing developments have no integrity as they show no consideration for villagers as the amount of houses they propose is ridiculously high. Rarely is most of it designed for low cost either.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

32 houses between Becksid and Church Close is much more reasonable regarding the impact on the village environment. The Travelling Show people should be allowed their permanent dwelling as they bring diversity to the village , without affecting the environment or causing pollution.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

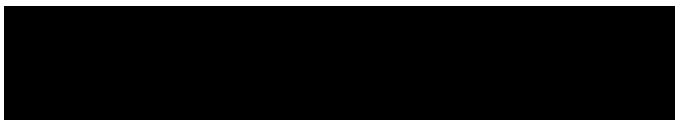
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signatur



Date

14/03/2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 14 March 2018 20:15
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104282

Date submitted: 14/03/2018

Time submitted: 20:14:57

Thank you for submitting your Local Plan Publication Draft response form (ref: 104282, on 14/03/2018 at 20:14:57) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Andrew

Surname: Bell

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I believe the local plan is fair, reasonable and deliverable and adequately provides for the likely needs of york for the next 15 years

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

The Local Plan has been through several consultations and amendments but I think the current plan is the best that could be expected. You will never please everyone but I think the draft plan is something that the majority of residents can get behind

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Housing Allocations

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

None

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

<p>OFFICE USE ONLY: ID reference:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px auto; width: fit-content;"> <p>City of York Council 15 MAR 2018</p> </div> <p style="text-align: center; margin-top: 5px;">RECEIVED</p>

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Ms.	
First Name	VALERIE	
Last Name	RICHARDS	
Organisation (where relevant)	—	
Representing (if applicable)	—	
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

I am not sufficiently qualified to answer the above questions. However, I feel that there was insufficient consultation and information given the public regarding numbers/figures for housing and employment floor space in the Central Site ST5 prior to publication of the Local Plan 2018.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes

No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

3.22

Policy Ref.

SS4

Site Ref.

ST5
SS4

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Land within York Central site has been allocated for 1,500 dwellings and 60,000 sq.m employment floor space. *
In January 2018 the City of York Council (I believe a small number of councillors), increased these numbers, I believe without proper consultation with York residents in the area, to 1700 to 2500 houses and 100000 sq.m employment floor space.
These increased numbers will have severe negative impacts on the local community including the environmental impact of vehicular trips as a result of the greater concentration of buildings.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest that the original allocation of 1,500 dwellings and 60,000 sq.m of employment floorspace (*) be reinstated as the maximum building allowed on this area (35ha). Any greater number will make the plan 'unsound', (It cannot be considered 'sustainable development or environmental damage' avoid)

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

15.3.18.

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 15 March 2018 17:23
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104318

Date submitted: 15/03/2018

Time submitted: 17:22:58

Thank you for submitting your Local Plan Publication Draft response form (ref: 104318, on 15/03/2018 at 17:22:58) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Beatrice

Surname: Wiseman

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town):

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I believe the plan has been prepared in line with statutory regulations and Duty to Cooperate

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not consistent with national policy

Please give reasons for your answer(s):

The estimated housing numbers are not in line with National guidelines.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ST12

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

I would like to object to the deletion of the housing allocation known as ST12. This site was assessed as part of the Council's rigorous site selection methodology and was proposed as a housing allocation in the Preferred Options draft. Therefore the Council must have satisfied themselves that this site is suitable for development.

The present reasons relating to the Green Belt were NOT considered reasons to exclude this site from the previous Preferred Options.

The Council has consistently allocated this site for housing development and must have concluded that the land did not have an importance in the Green Belt.

With respect to the objective assessment needs for housing, the Council has underestimated the overall housing numbers in this Local Plan. The Council has also given density assumptions, which are inappropriate in rural settings.

I therefore request that this site (ST12) be reinstated into the Local Plan.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 15 March 2018 19:40
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104326

Date submitted: 15/03/2018

Time submitted: 19:39:41

Thank you for submitting your Local Plan Publication Draft response form (ref: 104326, on 15/03/2018 at 19:39:41) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Jemma

Surname: Goodrum

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The green belt is to be preserved

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

The green belt including land at Moor Lane is not to be built on.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Moor Lane

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

none

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

City of York Council

16 MAR 2018

RECEIVED

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	
First Name	BRIAN	
Last Name	M ^C CLURE	
Organisation (where relevant)	N/A	
Representing (if applicable)	N/A	
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
 Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

A CITY LIKE YORK WITH ALL ITS HISTORIC BUILDINGS AND HERITAGE MUST HAVE LOCAL A PROPER, STRATEGIC AND WORKABLE PLAN. IT IS IMPERATIVE TO PROVIDE FOR ALL THE REQUIREMENTS OR THE NEXT GENERATIONS

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

EARLY
IN MY VIEW, ADOPTION OF THE LOCAL PLAN IS
ESSENTIAL TO PROMOTE DEVELOPMENT OF STRATEGIC
SITES AT ST1 [BRITISH SUGAR SITE], ST2 [CIVIL
SERVICE SPORTS GROUND] AND PARTICULARLY THE MIXED
USE YORK CENTRAL SITE AT ST5. INDECISION ON
THESE THREE SITES HAS RESULTED IN THEIR GRADUAL
DETERIORATION. NOT GOOD. MAKE IT HAPPEN!!!

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on 01904 554145

Signature



Date

14th MARCH 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Andrew Stephenson [REDACTED]
Sent: 16 March 2018 16:13
To: localplan@york.gov.uk
Subject: City of York Local Plan - Publication Draft 2018
Attachments: NFU Insp Rep.pdf

Dear Sir/madam

Please find attached our response to the Publication Draft 2018 of the City of York Local Plan. Should you have any queries please do not hesitate to get in touch.

Kind regards

Andy Stephenson



This e-mail is from the National Farmers' Union ("the NFU") or one of the organisations ("the Organisations") permitted by the NFU to use the NFU network. The information contained in this e-mail and in any attachments is intended for the named recipient and may be privileged or confidential. If you receive this e-mail in error please notify the NFU immediately on 024 7685 8500. Do not copy it, distribute it or take any action based on the information contained in it. Delete it immediately from your computer. Neither the NFU nor the sender accepts any liability for any direct, indirect or consequential loss arising from any action taken in reliance on the information contained in this e-mail and gives no warranty or representation as to its accuracy or reliability. Nor does the NFU accept any liability for viruses which may be transmitted by it. It is your responsibility to scan the e-mail and its attachments (if any) for viruses. The NFU may monitor and read both incoming and outgoing e-mail communications to protect its legitimate interests.

NFU, Registered in England No. 245E

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Andrew	
Last Name	Stephenson	
Organisation (where relevant)	National Farmers Union	
Representing (if applicable)	Mr & Mrs Bramley	
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

The difficulty our members have had relates to lack of information and therefore the ability to comment fully on the proposed designation of land they farm as Openspace. We have both contacted York City Council to seek information on what the implications are of the land being designated as Openspace, and specifically for the purposes of 'nature and conservation', however, to date, we have just been informed that this will be dealt with through consultation at a later stage. You will appreciate that this information is vital in not only providing a substantive response but also for the farm business going forward as it accounts for a significant amount of the farmed area.

Another area which is of great concern is the level of engagement between the owner of the land, the developer and the local authority with our members, as tenants of the land being designated. They are yet to engage meaningfully regarding the use of the land they farm though would have expected to have been approached by this stage of the process.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input checked="" type="checkbox"/>

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.	<input type="text"/>	Policy Ref.	<input type="text"/>	Site Ref.	<input type="text" value="OS10"/>
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5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

With regards to 'soundness', our members would appreciate seeing the reasoning behind rejecting alternative sites and selecting site ST15, for which the land our member farms is compensatory habitat. The land is productive, best and most versatile arable land, with the economic and other benefits of which specifically preserved within the provisions of the NPPF. They also operate under a higher level stewardship agreement which stipulates the land is managed to create habitat and encourage biodiversity. Furthermore, this development is in close proximity to the nearby Heslington Tilmire SSSI, and whilst the proposed new Openspace (OS10) is being brought in to offset the development at ST15, the biodiversity losses associated with the Tilmire SSSI should be accounted for in the decision process.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

***Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I am of the opinion that our member, who currently farms the land which is to be affected by the land designation OS10, should have been aware of the implications of the designation before this consultation so that they have the ability to comment from a position where they are fully informed of the likely impacts upon their business. It may well be that the designation as Openspace for the purposes of nature and conservation may preserve the current land use, in which case there is likely to be a lesser impact, conversely it may impose restrictions which make the business unviable. Either way, it is my belief that the local authority should proactively engage on this matter at an early stage of the consultation process.

I also would welcome full and well-justified reasons as to why the development (ST15) has been put-forward in the proposed location as opposed to other sites. When planning policy discourages development in the green belt, it is difficult to understand why a stand-alone development would be permitted beyond development boundaries with the need for extensive infrastructure to connect to the existing network.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

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Storing your information and contacting you in the future:

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Retention of Information

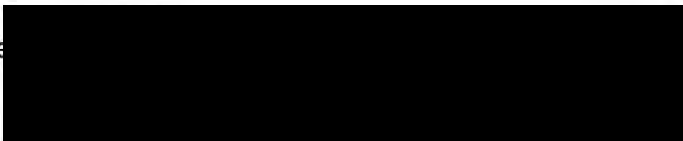
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

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If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145).

Signature



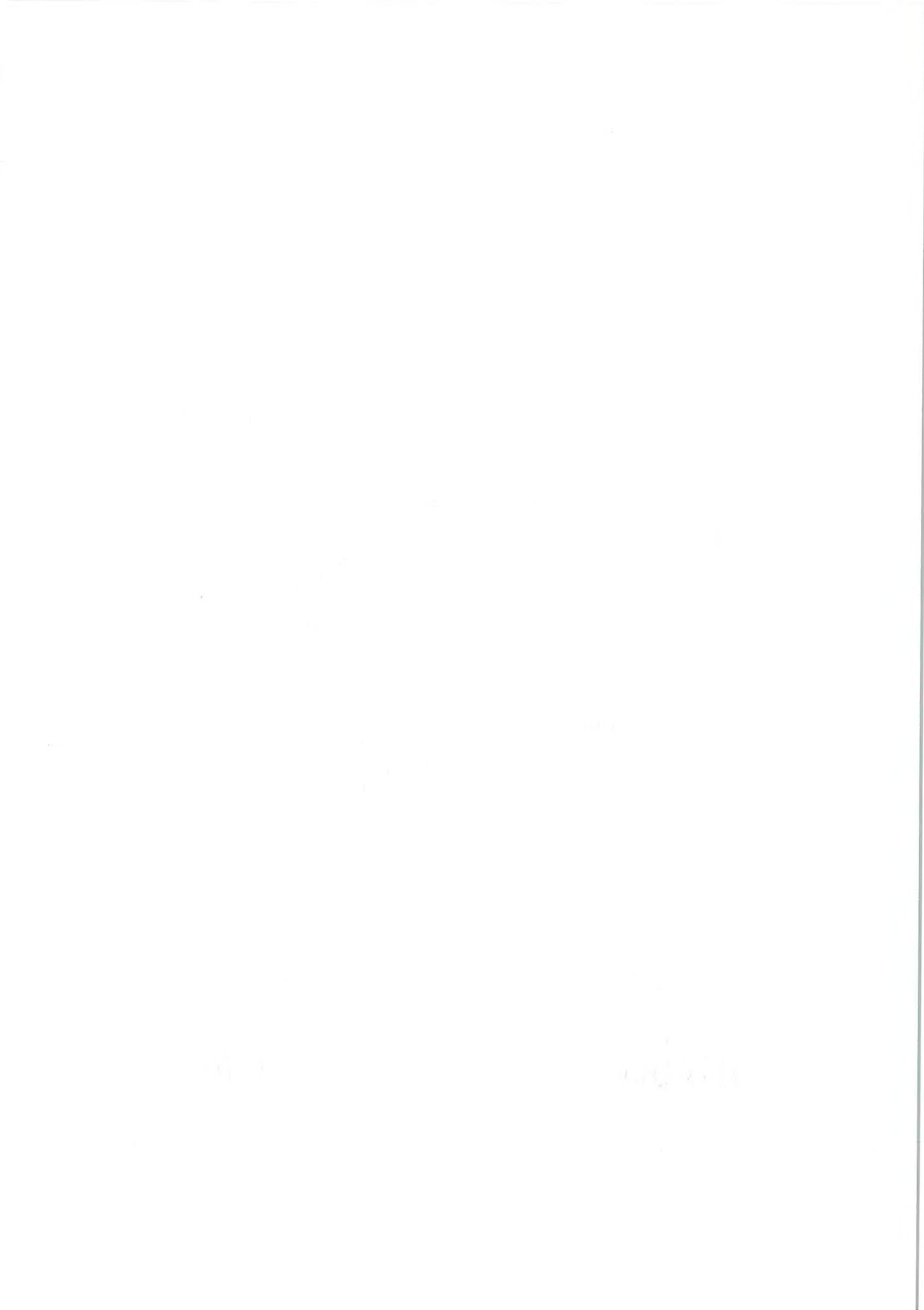
Date

16/3/18

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012



From: K Smith [REDACTED]
Sent: 17 March 2018 09:50
To: localplan@york.gov.uk
Subject: York's Local Plan

I write in support of the published local plan for York.

Lawfulness of the plan.

- I understand the plan meets current Government guidelines in respect of housing / business needs, as well as reflecting existing evidenced based research on the quantity and type of homes needed. Finally, the public has been properly consulted through a lengthy consultation process. On this basis I see the plan as being fit for purpose and lawful.

Soundness of the plan

- The plan meets the sustainability needs of the community and is proportionate to the social needs of that community i.e it is not excessive in volume of house building.
- Preservation fo the Greenbelt is of the upmost importance to me, in essence, preservation of the heritage of our environment and the quality of our environment. I will not support any plan that erodes the existing culture of York. The plan seems to take a sensible and measured stance in respect of the Greenbelt.
- The plan makes appropriate and balanced provision for infrastructure, transport and public services. Large scale disproportionate urban housing projects have been largely avoided - well done.
- There are a number of villages on the outskirts of York that need to be protected from ill thought out, poorly planned expansion into the greenbelt. Incremental expansion should be adopted, not large scale poorly built housing estates that decimate local culture.

Summary

- I support the local plan in its current format.
- I judge it to be balanced, appropriate, proportionate, lawful and sound.
- It has taken a long time to arrive as this position, we should avoid at all costs any degrading of the plan that is on offer.

Kevin Smith
[REDACTED]
[REDACTED]

[REDACTED]

From: Bill and Jennifer Gambold [REDACTED]
Sent: 17 March 2018 12:11
To: localplan@york.gov.uk
Subject: City of York Local Plan

As a resident of [REDACTED] I write to support the latest Local Plan which has been developed by the City of York Council. I have been closely involved in developing a Neighbourhood Plan for our Village and so have taken a close interest in the City of York Local Plan.

The plan appears to be lawful and meets the housing and business needs of the area. It also reflects the evidence based research about the number and type of housing needed in this unique area. The public feedback has supported the plan as it has developed and objected to increasing the number of houses above that proposed in the plan.

The plan is sound in that it provides well planned facilities where they are required. It preserves a green belt around historic York and avoids the local villages around York being absorbed into an expanded city.

Overall, the plan addresses the future needs of the York area in infrastructure, transport, housing and public services and enjoys the full support of my wife and I together with that of most of the residents in Earswick Village.

[REDACTED]

[REDACTED]

From: Peter Lawson [REDACTED]
Sent: 17 March 2018 13:06
To: localplan@york.gov.uk
Subject: Support for Local Plan

I am mailing to register my support for the local plan as currently set out in draft form.

The plan is lawful in that it follows government guidelines on housing needs, it reflects evidence-based research about the number and type of homes needed and it takes account of local feedback obtained through widespread consultation.

The plan is sound. It is sustainable, protects greenbelt and avoids urban creep.

Yours

P J Lawson

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 17 March 2018 15:12
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104370

Date submitted: 17/03/2018

Time submitted: 15:11:31

Thank you for submitting your Local Plan Publication Draft response form (ref: 104370, on 17/03/2018 at 15:11:31) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Kevin

Surname: White

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I believe the authors have complied with all legalities and to be fully compliant.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

I agree with the report, for example Para 3.7:

In addition the Council has defined Regional, District and Local Green Corridors, which are identified in the Green Corridors Technical Paper (2011) (shown in Figure 3.2). It is important that any future development does not have a significant adverse effect on green corridors. This would need to take account of their characteristics and the reason behind their initial designation.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Section 3 - Spatial Strategy Para 3.7

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.



From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 18 March 2018 13:24
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104387

Date submitted: 18/03/2018

Time submitted: 13:24:18

Thank you for submitting your Local Plan Publication Draft response form (ref: 104387, on 18/03/2018 at 13:24:18) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Nick

Surname: Frieslaar

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

Current planned numbers of houses reflected in the Draft Local plan meets needs having followed guidelines and reflects consultants' feedback, including public.

It preserves the greenbelt and avoids urban creep.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

Current planned numbers of houses reflected in the Draft Local plan meets needs having followed guidelines and reflects consultants' feedback, including public.

It preserves the greenbelt and avoids urban creep.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: All

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

None

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 18 March 2018 13:27
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104388

Date submitted: 18/03/2018

Time submitted: 13:26:42

Thank you for submitting your Local Plan Publication Draft response form (ref: 104388, on 18/03/2018 at 13:26:42) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Miss

Forename: Nan

Surname: Harding

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

Current planned numbers of houses reflected in the Draft Local plan meets needs having followed guidelines and reflects consultants' feedback, including public.

It preserves the greenbelt and avoids urban creep.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

Current planned numbers of houses reflected in the Draft Local plan meets needs having followed guidelines and reflects consultants' feedback, including public.

It preserves the greenbelt and avoids urban creep.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: All

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

None

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 18 March 2018 13:37
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104389

Date submitted: 18/03/2018

Time submitted: 13:36:50

Thank you for submitting your Local Plan Publication Draft response form (ref: 104389, on 18/03/2018 at 13:36:50) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Ms

Forename: Ruth

Surname: Bentley

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I consider the plan to be prepared in line with statutory regulations

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

Moor Lane is to be protected

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Site 148

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

<p>City of York Council</p> <p>OFFICE USE ONLY: ID reference: 19 MAR 2018</p> <p>RECEIVED</p>

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr.	
First Name	RICHARD	
Last Name	BRAMLEY	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
 Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

1.

Policy Ref.

SS13

Site Ref.

ST15
OS10

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

1. A garden village in this area is a flawed concept. Its distance from infrastructure and its proximity to wild life sites, would demand a huge infrastructure cost and a vast area for mitigation. The cost of infrastructure would make it undeliverable Mitigation measures have no proven effectiveness, Create New Open Space. O.S. 10. This proposal opens the door to the possible loss of a further 500 acres of good arable land. This would be in contravention to Para 112 of the N.P.P.F

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

See continuation sheets 3

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Many years of local knowledge.
Also an occupier of some of the land involved.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

13 - MARCH - 18

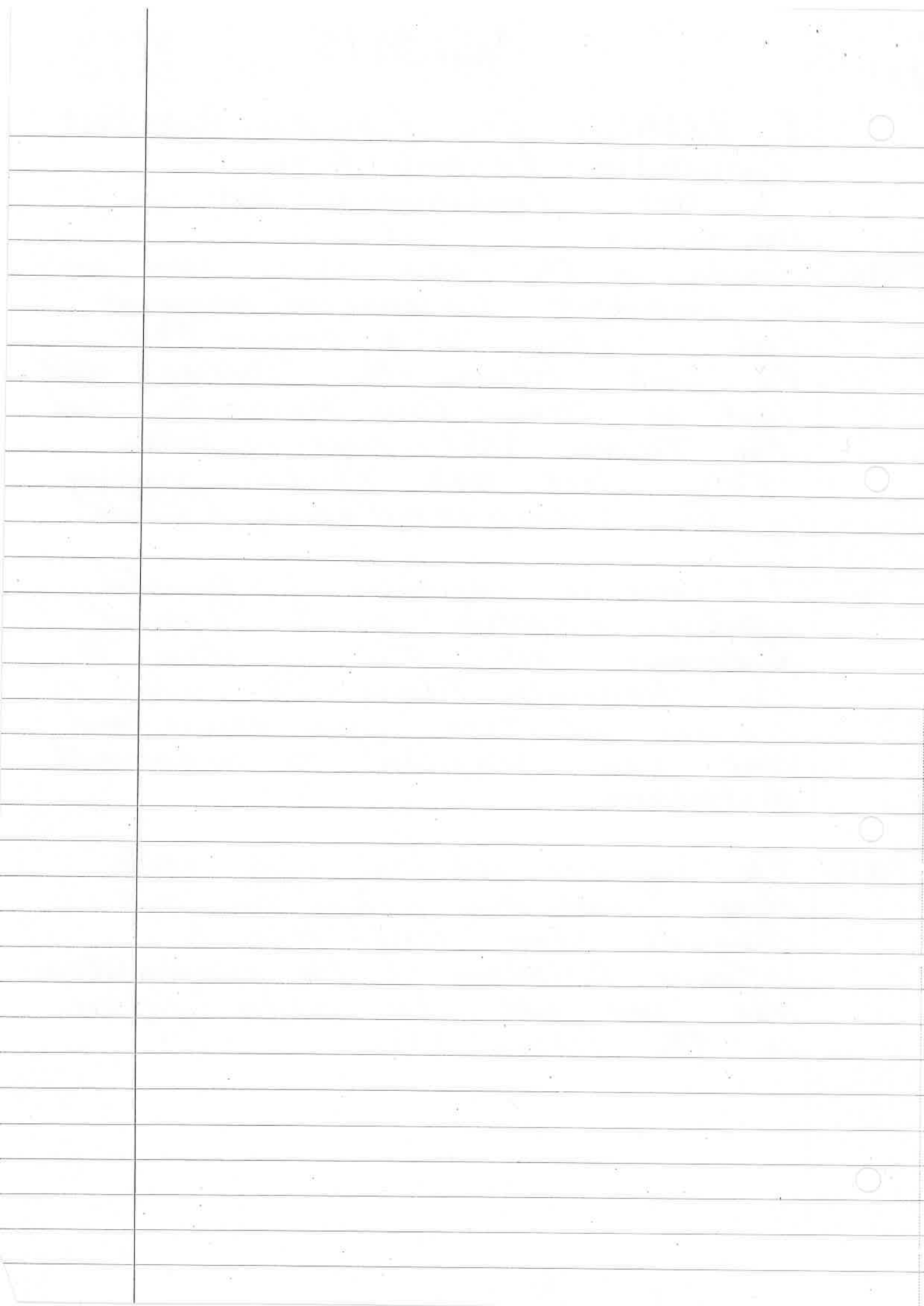
¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

R. BRAMLEY C.Y.C. Publication Draft 2018
Consultation Response Form
5. (4) Continuation sheet I
Pages 54 55

- IV. Grazing of the Tilmire SSS is seen as an important conservation management tool. There is a danger that the link between the buildings and land at Tilmire Farm Heslington and the Tilmire SSSI could be broken. This would make effective grazing of the Tilmire SSSI extremely difficult.
- V. It would be impossible to guarantee effective mitigation as the proposed development site ST15 is close to the Heslington Tilmire SSSI. which is C.R.O.W. act 2000 open access land and very sensitive to recreational disturbance.
- xiii The suggested pedestrian cycle route along Common Lane, Long Lane and Longwith Stry would lead to increased disturbance to the compensation area and add to visitor pressure on the Tilmire SSSI.



R. BRAMLEY CYC Publication Draft 2018
 Consultation Respons Form.

Q 5. (4) continuation street 2.

Policy	SS13	sites	ST. 15
pages	54	55	OS 10

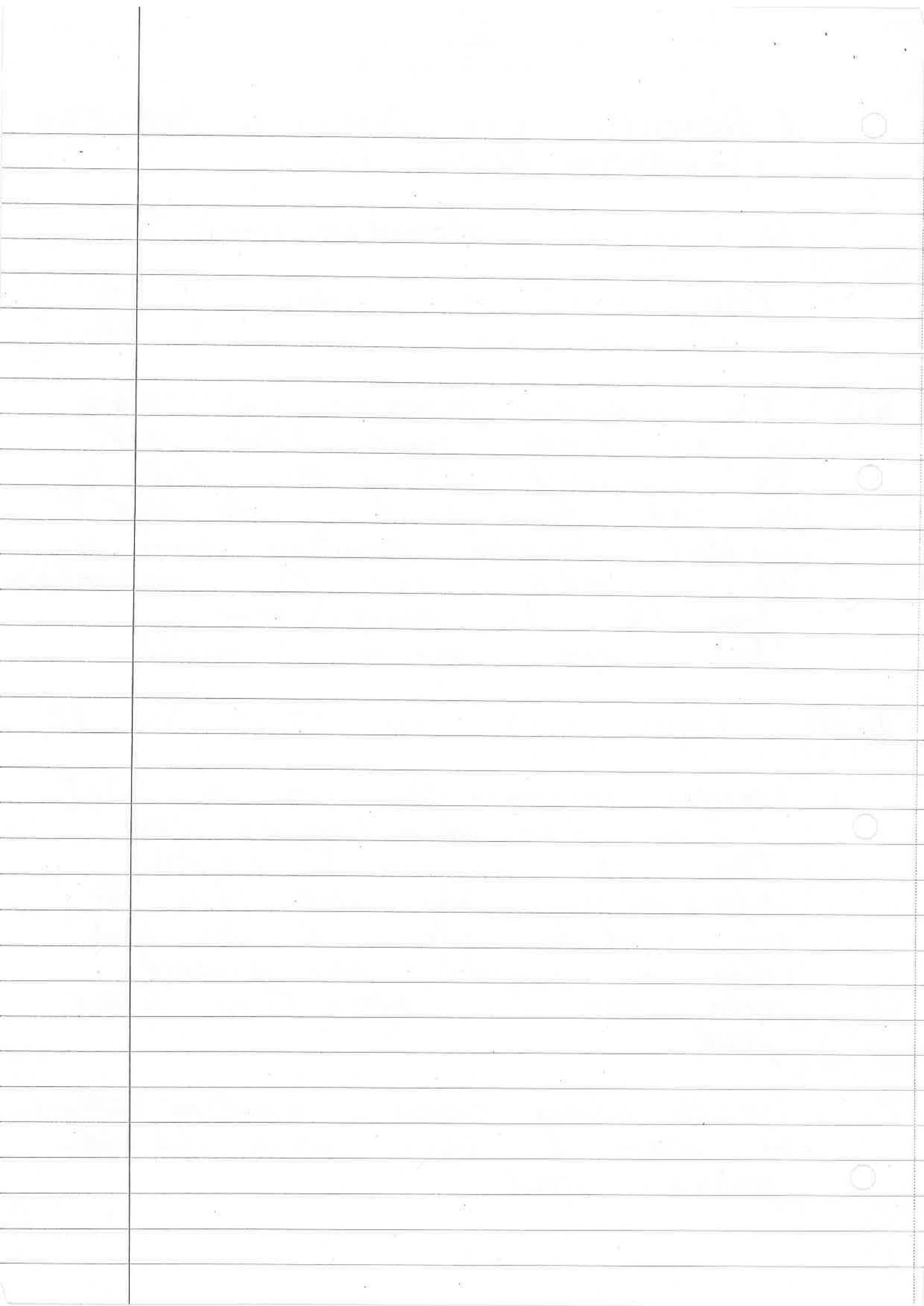
2111 The suggested pedestrian/cycle route is a bendy single track road. The suggested use of this route by the new development would lead to conflict between existing users of this route and the population from the new development - farm traffic could be disrupted.

6 (1) Policy SS13 Sites ST 15 OS 10

1. Consider increasing the size of SS12.

ST 14. Land West of Wigginton Road. This site is close to existing infrastructure and not close to any wildlife sites. A rail link could be possible, and residents could walk to Clifton Moor retail park.

1. Consider adding houses to existing villages in order to keep shops and other services open.



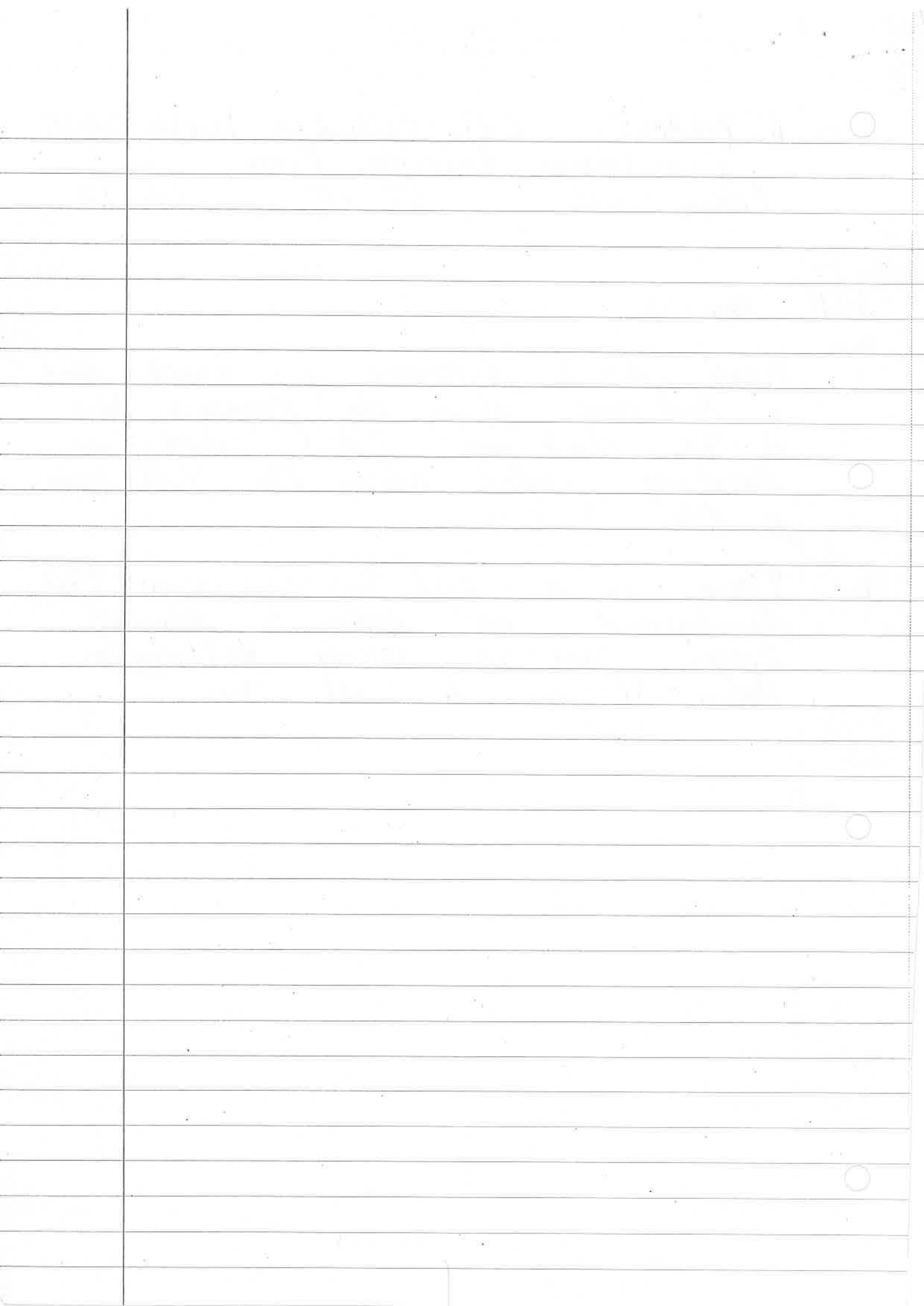
R. BRAMLEY CYC Publication Draft 2018
 Consultation Response Form
 Policy SS13 ST.15 OS 10

6(1) Page 55

xii

Provide both a dedicated cycle track and a foot path along the proposed new A. 64 link road, This could join existing routes along the York side of the A. 64.

xii. There is a need to ring fence this development in order to prevent traffic from it using Heslington Main SE as a rat run.



City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

<p>OFFICE USE ONLY:</p> <p>Reference: City of York Council</p> <p>19 MAR 2018</p> <p>RECEIVED</p>
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This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	
First Name	PAULINE	
Last Name	BRAMLEY	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

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What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

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Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

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- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

PLEASE REFER TO ATTACHED SHEET 1

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes

No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

PLEASE REFER TO ATTACHED SHEET 2.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

ST IS / OS IO GOES AGAINST NPPF - IT DOES NOT DELIVER THE RIGHT HOMES IN THE RIGHT PLACE. JUSTIFIED REASONS FOR THIS "STAND ALONE" DEVELOPMENT IN THIS LOCATION, REQUIRING EXTENSIVE INFRASTRUCTURE AND MITIGATION MEASURES, HAVE NOT BEEN GIVEN. NPPF DISCOURAGES DEVELOPMENT IN THE GREEN BELT ESPECIALLY WHEN GOOD AGRICULTURAL LAND IS USED. THIS PROPOSAL TAKES APPROXIMATELY 950 ACRES OF PRODUCTIVE, VERSATILE FARMED LAND. THIS ACREAGE DOES NOT INCLUDE THE EXTRA LAND THAT WILL BE NEEDED TO BE TAKEN FOR INFRASTRUCTURE SERVICES.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

FOR REPRESENTATION.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

16 / 3 / 18

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

Sheet 1

Barrier to meaningful consultation

At over 200 pages, the Draft Local Plan consultation is a very large document for a lay person to read, digest and review in the short time frame allowed for each feedback. It has been impossible to download some larger documents and zooming in on an area in the map leaves it blurred.

This approach has meant limited meaningful engagement from York residents because people lack the time and/or commitment to get to grips with these proposals. There has been a lack of information on details, e.g. infrastructure or open space meaning, .It is the detail that is important to York residents and will have a significant impact on our quality life.

Already saturated infrastructure

The typical York resident has to endure slow traffic speeds and congestion on both single and dual carriageway parts of the ring road and busy trains to Leeds and Manchester. Whilst encouraging cycling is commendable, this is not a feasible option for many residents who work outside York. Sustainable, appropriate and integrated infrastructure should have been considered as part of the plan and not separately.

Make use of brown field sites first

The plan must always seek to protect, the rural setting of York, a historic and unique City and its surrounding rural areas. Brown field sites, of which there are many undeveloped within the City boundary, must always be developed first.

Developers will always prefer to build and extend boundaries on a Green Belt site as it is often cheaper and more convenient.

City of York has to ensure that **all** brown sites are built on before Green Belt is used.

Put the interests of residents first rather than large landowners that stand to gain from developments. This includes prioritising brown field sites

There was no meaningful consultation with residents as to where housing and strategic sites should be located prior to the 1st draft consultation. It relied on landowners putting forward land though no direct CYC approach was made to all landowners to be made aware of this fact. This biased the process towards large, well-connected landowners. CYC have given the larger sites, in single or low ownership, priority for ease of development regardless of their suitability.

Importance of maintaining high quality agricultural land

The slow recovering economy, coupled with the uncertainty of Brexit, means we need to ensure good agricultural land remains productive locally and nationally so we have the opportunity to be as self sufficient as possible.

Sheet 2

ST15 OS10

It is not clear the Council has provided the proof of “exceptional” circumstances required for the allocation of the site ST15 as building land.

No alternative site or development of smaller sites has been proposed to be considered in any of the Local Plan drafts. There is a real concern that as there appears never to have been an alternative site considered. Should developers question the viability of this site, this site may be further enlarged.

The road linkage in the area including the A64, A1079, A19 and B1228, are already highly congested and regularly gridlocked.

CYC officers accept that this development because of its location will most likely become a commuter town for Leeds, Selby, and Hull. Whilst the intention will be to provide regular public transport, there will be high dependency on the private car. Both will add to the various forms of pollution.

There will be additional traffic implications for York on already overloaded local roads including Fulford Road and Hull Road. Both of these roads are already at 95% of capacity and suffer from air quality issues.

There are no rail links at this side of the City.

A major housing development such as this, providing no skilled jobs on site, will increase the amount of for traffic heading towards the A1/M1 and West Yorkshire.

The site proposed for a new town, “garden village”, ST 15, is in close proximity to the Tilmire, Site of Special Scientific Interest (SSSI) and its national importance and Sites of Importance for Nature Conservation (SINCs) on Elvington Airfield.

Due to where it is sited, this proposal will need an additional area for mitigation, OS 10, an area larger than the proposed new town, “garden village”, covering approximately a further 500 acres of Green Belt, productive agricultural land. This is against para 112 of the NPPF

Very little detail has been made available on the intention of this mainly tenanted area and what it will mean to the local farming community.

OS10 does not need to be created to “maintain views of the Minster and existing woodland”.

These are in existence now.

The SSSI is managed in one farm holding located within this area, - a Higher Level Stewardship scheme (Tilmire Farm/Primrose Hill Farm) in conjunction with Natural England. This surrounding and carefully managed farmed land has guaranteed the SSSI's status, its survival and the increase of flora and fauna. The habitat that has been enhanced, for example, providing bird seed plots, rich winter feed hedges, wide margins, and open ground for breeding lapwings.

There is no proof that mitigation can compensate for pollution damage: water, air, soil, noise, light, increased footfall and pet predation, to these two highly sensitive areas.

The new infrastructure and services that will need to be built will take further agricultural land creating additional pollution.

The document makes comment that Langwith Stray/Long Lane and Common Lane is a "pleasant road" suitable for a pedestrian/cycle route from the development. To do this safely as well as accommodating the existing local traffic, large, wide farm vehicles and associated commercial vehicles connected to houses and business in those locations (fishing lakes, liveries, farming, animal movement), the road would need widening.

It is predominantly a farming area; farm vehicles will need to have access to travel freely along the whole length of the road.

It is a narrow road with passing places, double bends, high verges with grip holes and poor drainage. Any further increase in mixing all those elements together would be dangerous. Any widening would again take further land out of production and destroy the SSSI setting.

Allowing pedestrian/cyclists/domestic animals from the development on to Langwith Stray/Long Lane will result in a detrimental effect on the SSSI Tilmire. The increase usage of the cycle ways/footpaths will massively increase the footfall across the Tilmire. There is already a problem, throughout the year, with cyclists/ walkers straying off the tracks; dog walkers continue to cause problems especially with gazing stock and ground nesting birds.

The way to ensure protection of the SSSI is to continue its rural location, surrounding it with farmed land and with its proven management programme. Askham Bog is successfully protected in this way; this is an effective barrier as the public respect farm land.

There is still the question of whether York, an ancient, historic City needs a new town, rather than extending existing settlements. There are outlying local villages that are losing local services; moderate development in these areas would build houses where they are much needed to ensure their survival and community spirit, giving back a pub, PO, shop, bus services. Common sense would suggest considering smaller developments.

The ST 15, land to west of Elvington Lane, whilst using an element of brown field is predominately valued agricultural land. There is no clear detail on infrastructure. To provide the necessary road links to the A64, further productive agricultural land will need to be taken, resulting in further family agricultural businesses in the close vicinity becoming commercially unviable.

As acknowledged in the Heslington Village Design Statement, *Heslington village has retained its rural charm and identity in part because of the continuation of farming on the high quality land in and around the Village.*

With eight of the ten farms affected to a major or lesser degree, only two will remain assured of viability. The farming community will be *wiped out*.

[REDACTED]

Without the detail and knowledge that we have requested from York Council on numerous occasions of the consequences of what this "open space" will be on [REDACTED] we are unable to make a decision as to whether we allow it to be included or removed from OS 10.

We have never been consulted [REDACTED]

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 19 March 2018 15:11
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104426

Date submitted: 19/03/2018

Time submitted: 15:11:23

Thank you for submitting your Local Plan Publication Draft response form (ref: 104426, on 19/03/2018 at 15:11:23) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Peter

Surname: Whitfield

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town):

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Sustainability Appraisal/Strategic Environmental Assessment

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? NoCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

While being very supportive of the Local Plan's policy to define and defend the Green Belt to the west of Copmanthorpe I take issue with the number of dwellings per hectare proposed for both the development sites in Copmanthorpe (Tadcaster Road and Moor Lane). These densities are far above the current average density for the village and will mean the addition of many more new residents than the infrastructure can cope with. Doctors, school, roads and sewage systems are already at maximum.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to

explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified

Please give reasons for your answer(s):

Too many new houses proposed for Copmanthorpe. Proposed housing density is too high and inconsistent with the current average density of the village. I would also take issue with the fact that the neighbouring village of Bishopthorpe has no new housing development proposed despite having many more suitable locations and as good, if not better, infrastructure.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Housing density

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Reduce proposed housing density on the two development sites in Copmanthorpe (Tadcaster Road and Moor Lane) to a maximum of 25 per hectare.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 19 March 2018 15:33
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104429

Date submitted: 19/03/2018

Time submitted: 15:32:51

Thank you for submitting your Local Plan Publication Draft response form (ref: 104429, on 19/03/2018 at 15:32:51) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Richard

Surname: Smith

Name of the organisation/individual/group you're representing:

Address (building name/number and street): ■

Address (area): ■

Address (town): ■

Postcode: ■

Email address: ■

Telephone number: ■

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Policies Map

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I have read relevant information from local councillors

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

Relevant communications sent

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Building Proposals off Moor Lane Woodthorpe

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

I wish to register the fact that I am against any proposal for building new properties on green belt land off Moor Lane Woodthorpe.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: Katrina Crisp [REDACTED]
Sent: 19 March 2018 16:52
To: localplan@york.gov.uk
Cc: Andrew Astin
Subject: Publication Draft Local Plan, Policies Map and Sustainability Appraisal Consultation
Attachments: York Publication Plan Representations Form - Indigo Planning on behalf of Wyevale Garden Centres.pdf

To whom it may concern,

Please find attached representations and associated response forms prepared on behalf of Wyevale Garden Centres, in response to the Publication Draft Local Plan consultation.

Wyevale have an existing Garden Centre to the south of Poppleton, off Northfield Lane. The site is currently being promoted for employment for B1, B2 and B8 uses in the emerging Local Plan under Draft Policy EC1 and identified as Site E16 on the Proposals Map.

We also make representations to Draft Policy CC2 and DM1.

I would be grateful if you could confirm receipt of the representations via return email and keep us informed of the Plan's progress moving forwards.

Kind regards
Katrina

Katrina Crisp | Planner

[REDACTED]



RTPI Planning Consultancy of the Year 2017

Toronto Square, Toronto St, Leeds, LS1 2HJ
T: 0113 380 0270 **W:** www.indigoplanning.com



This e-mail (including any attachments) is intended only for the recipient(s) named above.
It may contain confidential or privileged information and should not be read, copied or otherwise used by any other person.
If you are not a named recipient, please contact the sender and delete the e-mail from the system.

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		Mr
First Name		Andrew
Last Name		Astin
Organisation (where relevant)		Indigo Planning
Representing (if applicable)		Wyevale Garden Centres Ltd
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

N/A

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Please refer to accompanying Cover Letter.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Please refer to accompanying Cover Letter

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Wyevale are a key stakeholder and landowner in Poppleton, and as such have a strong interest in the progress of the Local Plan.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

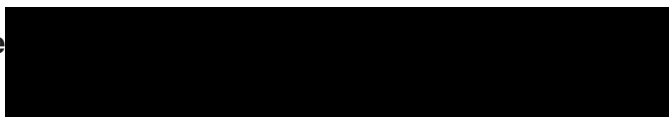
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

19/03/2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012



City of York Council
West Offices
Station Rise
York
YO1 6GA

By email

19 March 2018

let.003..AC.24860077

Dear Sir / Madam

**WYEVALE POPPLETON GARDEN CENTRE, NORTHFIELD LANE, UPPER
POPPLETON
REPRESENTATIONS TO CITY OF YORK LOCAL PLAN – PUBLICATION
DRAFT CONSULTATION**

We write on behalf of Wyevale Garden Centres (Wyevale) in response to the City of York Local Plan Publication Draft Consultation.

Wyevale have an existing Garden Centre to the south of Poppleton, off Northfield Lane. The site is currently designated within the Green Belt, but it is being promoted for employment for B1, B2, and B8 uses in the emerging Local Plan under Draft Policy EC1 and is identified as Site E16 on the Proposals Map.

Indigo previously made representations on behalf of Wyevale in support of the allocation of the site during the Pre-Publication Draft Consultation (our ref: let.001.AC.24860077) as well as representations to Draft Policy CC2 and DM1.

These further representations continue to support the removal of the site from the Green Belt and its inclusion within the defined settlement limit of the Village of Upper and Nether Poppleton. They also support the allocation of the site for Wyevale also support the allocation of the site for employment for all B uses including B1a to help meet the employment needs of the surrounding area.

Draft Policy EC1

We wish to reiterate our previous representations in support of the removal of the site from the Green Belt. The site does not contribute to the purposes of the Green Belt, and we support its inclusion within the settlement boundary given it forms an appropriate extension to the Village of Upper and Nether Poppleton, within close proximity to existing services and infrastructure. Any redevelopment on the site will also be naturally confined by the existing trees bordering the site.

Policy EC1 goes onto identify the site (Site E16: Poppleton Garden Centre (2.8ha)) as being suitable for B1c, B2 and B8 as well as an element of B1a. We also support the allocation for the site for employment for all B uses including B1a given

it will help to meet the employment needs of the area in a sustainable location well served by public transport and with pedestrian access to services in Poppleton.

It is however requested that the word 'an element' of B1a is omitted from the policy to allow the site to come forward for an unrestricted amount of B1a. The draft Local Plan identifies at Table 4.1 that there is a requirement for up to 13.8ha of land for B1a floorspace up to 2038 within the City of York. However, there are limited available and suitable sites within the city centre to accommodate this, with the Council's Employment Land Review (2017) also highlighting that a large amount of office space within the city centre has been lost to residential.

As such given the limited number of sites and available existing office space within the city centre, the council will need to identify appropriate sites elsewhere to ensure that there is a sufficient supply of land to meet the identified need. The allocation of the Wyevale Garden site for all B class uses including B1a would therefore help to meet this need and contribute to the economic growth of York.

Moreover, whilst the vacant land adjacent to the Garden Centre building is available immediately for employment uses. The existing Garden Centre is a viable business. As such the allocation of the site should also continue to support Garden Centre related (A1 use class) uses at the site.

Draft Policy CC2

Paragraph 173 of the NPPF highlights that in pursuing sustainable development careful attention should be made to viability and costs in plan-making and decision-taking, stating that:

“to ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and a willing developer to enable the development to be deliverable.”

Draft Policy CC2 relates to sustainable design and requires all new non-residential development with a total floor area of 100sqm or greater to achieve BREEAM “Excellent” (or equivalent). Whilst we are supportive of the need for sustainable design and construction in new development, such a requirement is unduly restrictive given it does not take account of whether this is feasible or viable for every development. Achieving such a requirement would incur significant costs irrespective of the nature of the scheme and any site-specific constraints that would hinder a developments ability to achieve the required standard.

Furthermore, a new BREEAM methodology to update the technical requirements has been prepared by BREEAM. The updated methodology has significant changes for BREEAM, including making it more challenging to deliver the higher ratings (Very Good & Excellent), the 'easier' credits have been removed/ altered and there is a greater focus on early stage third part & BREEAM input.

In order to reflect the proposed changes to the BREEAM methodology, Draft Policy CC2 should be reworded to include a greater degree of flexibility, including that considerations should be given to individual sites circumstanced, viability and the cost associated with a requirement to deliver sustainable development in accordance with paragraph 173 of the NPPF.

Draft Policy DM1

Draft Policy DM1 states that the council will request contributions from developers to ensure that the necessary infrastructure is in place to support future development in York.

The justification for the policy notes that developers will be required to contribute to the provision of infrastructure necessary to mitigate the local impacts of their development which is welcomed. However, this is not reflected in the actual wording of the policy that contributions will only be required where these are necessary. Furthermore, the policy does not reflect paragraph 173 of the NPPF that sites and the scale of development should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. The policy should also include reference to contributions being in accordance with the requirements of CIL Regulation 122.


Conclusion

In Summary Wyevale support the removal of the existing Garden Centre site from the Green Belt and its inclusion within the Upper and Nether Poppleton Settlement Limits.

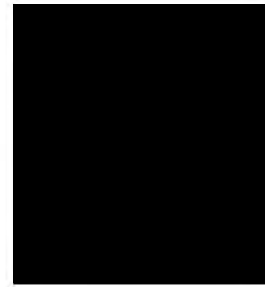
Wyevale also support the allocation of the site for employment for B1, B2 and B8 uses. However, it is requested that the policy is amended to remove reference to 'an element of B1a' being acceptable. Moreover, whilst the land adjacent to the Garden Centre building is immediately available, the allocation of the site should recognise that part of the site is still in use as a viable Garden Centre, and therefore it should not restrict any existing or future Garden Centre related activity on the site.

We also request that the wording to Policy CC2 is amended to take account of the viability and feasibility of achieving BREEAM "Excellent" and Policy DM1 is amended to highlight that contributions will only be sought where necessary.

Yours faithfully

A solid black rectangular box used to redact the signature of Andrew Astin.

Andrew Astin



18th March 2018

York Local Plan ST 15 Land to west of Elvington Lane

I would like to object to the siting of 3339 new houses at this site on the grounds that it is not sound i.e. not positively prepared, not justified and not effective.

Firstly it's overall size will impact hugely on the neighbouring villages of Elvington and Wheldrake with a vast increase in traffic on the already busy B1228 going up to Grimston Bar roundabout and also through the Main Street in Elvington. There is also no clear provision of infrastructure for the new town (as a development of that size will be). It would put totally unreasonable pressure on the school and doctor's surgery in Elvington if it did not have it's own services.

The **original location** for the proposed new town on land to the north is a much better one if the development goes ahead, as this will have a reduced adverse impact on Elvington. It is a shorter distance to the A64, it will reduce the traffic on the B1228 and it will be outside CYC's own Green Corridor.

If the new town is built as proposed in the Local Plan it fails to comply with CYC's own economic strategy because it will affect York's tourism. The runway at Elvington, visited by approximately 100,000 people a year, would be affected and there would also be an adverse affect on the Elvington Air Museum, which also has around 100,000 visitors a year. The airfield and its part in World War II is just as much part of York's history as the city walls! Building on the airfield would mean part of York's history would be lost to future generations. It must also be remembered that this area is **Greenbelt** not a Brownfield site. Is it therefore legally compliant?

Siting the new town where it appears now in the Local Plan would also fail to safeguard nature conservation, as a conservation site (as identified by CYC) would be lost. The original location to the north would preserve this site.


Judith H Hodgson

York Local Plan ST39 Land at the top of Beckside

I would like to object to the building of 32 new houses between the top of Beckside and Church Lane on the basis that it is not sound i.e. not positively prepared, not justified and not effective. Firstly the area is **Greenbelt** and it reverses the previous decision by the Planning Inspectorate. Secondly there is a better alternative site on **Dauby Lane**, which has been suggested by the Parish Council and supported by the local community. To build on Beckside would be absolutely ignoring the wishes of the local community.

The disadvantages of Beckside

The extra traffic in Beckside would cause huge difficulty in accessing the B1228 especially at peak periods. It is already a bottleneck. An additional access, via Church Lane, would be impossible given the nature of that road – narrow and with a sharp, blind bend. I think therefore that the additional traffic in Beckside would create a safety risk.

It is also proposed that the houses to be built at Beckside would be similar to those already existing and this is not what the village needs. There are sufficient medium sized detached houses. More large and small houses are needed.

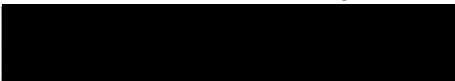
The advantages of Dauby Lane

This site could provide for more houses of the appropriate type. They would have easier access to the B1228. It would also go some way to uniting the two halves of the village as one third of the houses would lie to the north of the village.


Judith Hodgson

Extension to Industrial Estate at Elvington airfield ST26

I would like to object to the extension of the industrial estate on the grounds that it will have a huge impact on the village of Elvington if greater numbers of HGVs are allowed to pass through the village. In my opinion this extension would only be sound i.e. positively prepared, justified and effective if a ban were imposed on HGVs travelling through Elvington.


Judith Hodgson

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 20 March 2018 16:29
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104474

Date submitted: 20/03/2018

Time submitted: 16:29:14

Thank you for submitting your Local Plan Publication Draft response form (ref: 104474, on 20/03/2018 at 16:29:14) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Chris

Surname: Sutton

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Policies Map

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I can see no reason why the document is not legally compliant.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

The document effectively balances the need for additional housing with the need to protect the green belt.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Policy plans

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 20 March 2018 17:53
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104489

Date submitted: 20/03/2018

Time submitted: 17:53:10

Thank you for submitting your Local Plan Publication Draft response form (ref: 104489, on 20/03/2018 at 17:53:10) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Judy

Surname: Sutton

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I can see no reason why this should not be classed as legally compliant. I assume because we have elected council Lord this is legal and democratic

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

Because it answers all the questions that have been asked

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: All

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 20 March 2018 18:31
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104492

Date submitted: 20/03/2018

Time submitted: 18:30:35

Thank you for submitting your Local Plan Publication Draft response form (ref: 104492, on 20/03/2018 at 18:30:35) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: John

Surname: Pace

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The plan would appear to follow the necessary procedures and the actual number that need to be built against the number that will be built will be different. Nobody ,
Knows exactly what the future holds

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

It has preserved the majority of the green belt and tried to concentrate on more brown field sites, as it should.
It avoids creeping urban sprawl.
It does not address the need for a complete revamp of infrastructure transport and public services

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ?

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

None

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

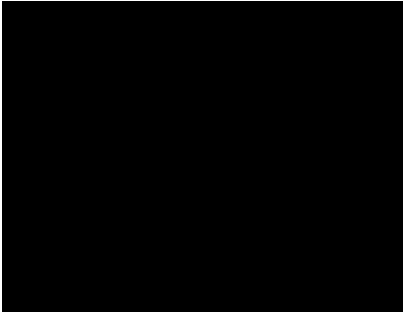
The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

[Redacted]

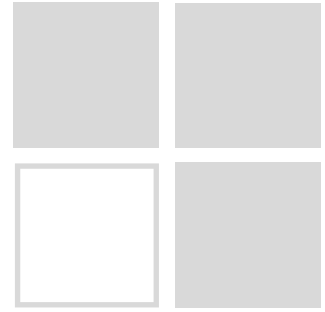
From: Michael Hargreaves [Redacted]
Sent: 21 March 2018 12:04
To: localplan@york.gov.uk
Subject: York Local Plan Consultation
Attachments: Annex 1 I Woodward ORS 160516.doc; Annex 2 M Grainger CYC 211116.doc; Annex 3 YTT Traveller survey, July 2017.docx; Annex 4 Cotswold LP Actions Week-3.pdf; Response_form Paras 5.37 - 5.39, Table 5.3.docx; Response_form Policy H5.docx; Response_form Policy SS2.docx; YTT Paras 5.37 - 5.39, Table 5.3.docx; YTT Policy H5.docx; YTT Policy SS2.docx

Dear York Planners,
Please see the attached representations & attachments on the consultation on the Publication Draft Local Plan on behalf of the York Travellers Trust.
Please acknowledge receipt.
Many thanks, Michael Hargreaves

Michael Hargreaves Planning



Virus-free. www.avast.com



Ian Woodward
Opinion Research Services

16 May 2016

Dear Ian,

ORS Gypsy and Traveller Accommodation Needs Assessment Methodology

I write on behalf of the York Travellers Trust (YTT). We are very grateful to Martin Grainger and Rebecca Harrison of the City of York Council (CYC) for arranging the recent meeting between ourselves, Christine Shepherd and Stephen Pittam of YTT, and Martin and Rebecca of the Council.

YTT, CYC and yourself will continue to liaise about contacting Travellers in bricks and mortar and by the roadside. Here I wanted to raise some wider issues. They draw on YTT's concerns, but also the views of other colleagues and organisations working on behalf of Gypsies and Travellers.

The context is that the Gypsy and Traveller definition for planning purposes introduced through the August 2015 version of Planning policy for traveller sites (PPfTS) will affect the likelihood of Gypsies and Travellers gaining planning permission and will potentially have profound implications for their lives. It is deeply controversial and likely to be the subject of legal challenge.

Surveying Gypsies and Travellers and determining whether individual families come within the definition raises considerable methodological problems.

Determining which side of the line a family falls can be challenging. We particularly questioned your Question F3: What was the main reason for travelling: Please cross one box only. I am aware that Professor Thomas Acton has previously raised this issue with you in regard to the Essex GTANA.

While case law requires work to be a necessary and significant reason for travelling, in my experience Inspectors also take account of other dimensions of travelling, such as visiting relations, fairs, and going back to family graves. We did not find your reply that the answers to the other questions enable you to conclude whether a family does or does not have Gypsy status convincing. It does not make explicit on what basis the interviewer or those collating the responses should come to that conclusion. It leaves them in the position of judge over a family's future.

You have identified Gypsies and Travellers in bricks and mortar housing as difficult to identify. Surveys in my experience also find it difficult to identify:

- Substantially nomadic Travellers. This then raises the risk that the surveys are biased in favour of the most easily identified Travellers on authorised sites, and excludes those with the highest levels of need, who by their nature are more likely to come within the definition;
- Travellers who may want to move into an area;
- Travellers who for a variety of reasons do not admit their identity.

A related issue is that the occupants of some sites are refusing to engage in the surveys. Are you able to build their needs into your studies, and if not, do the studies acknowledge that gap?

There is then the issue of whether the responses are accurate. We would make the following points:

- Travellers have varying levels of literacy. Many are nervous of forms and paperwork;
- For many, their experience of bureaucracy is negative, and they may fear answering questions for a range of reasons;
- For instance, they may conceal how many people are staying on a site because it exceeds the licence, or some of the residents are not registered;
- My personal experience working with Gypsies and Travellers is that, as a non-Gypsy, you have to earn trust. As people gain confidence you are on their side, they are more willing to share;
- Men and women play different roles, the men away working, the women looking after children, and site, and acting as carers. This means that visiting a site, you are much more likely to interview the women, but they may be unwilling or not well enough informed to talk about their husband's and son's work which is central to the family being identified as having Gypsy status.

In conclusion I would raise three issues.

Both in York and more widely there is concern that your company is not fully reflecting the implications of PPfTS Paragraph 7. Given the significant methodological challenges 'early and effective community engagement' means not just asking questions, but sharing the design of the interviews and making sure any local Traveller organisations understand and can communicate the reasons for the questions.

You indicated you have not had your methodology peer reviewed by others with expertise in getting information from hard to reach groups. Would it be a good idea to do so?

Can we suggest that your reports make clear the difficulties in doing this research and that the results should be treated with caution.

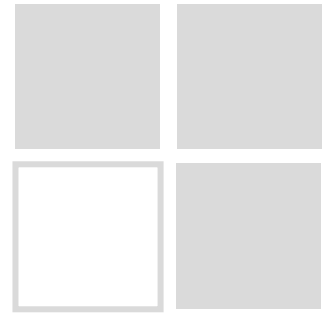
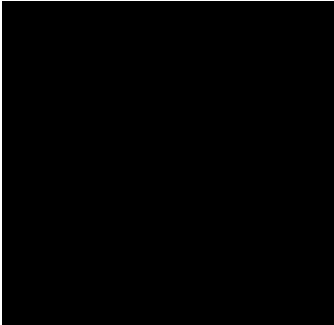
I would welcome your thoughts.

Yours sincerely,

Michael Hargreaves BA BTP MRTPI

Cc, Martin Grainger, Rebecca Harrison CYC

Michael Hargreaves Planning



Martin Grainger
Head of Planning
City of York Council

21 November 2016

Dear Martin,

**City of York Gypsy and Traveller Accommodation Assessment
September 2016**

1. I write on behalf of York Travellers Trust. Thank you for meeting us again on 10 October, and for inviting our feedback on the emerging Gypsy and Traveller Accommodation Assessment.
2. We retain reservations about the robustness of aspects of ORS's methodology and findings, which we believe risk underestimating the scale of need. A number of these issues were raised in my letter of 16 May to Ian Woodward of ORS, a copy of which is appended. Despite chasing, I have never received a reply.
3. We are aware that ORS are market leaders in this area, and are producing needs assessments for local authorities across the country. This means, if our reservations are justified, it is likely underestimates of need will be reproduced across the country, with implications for exacerbating the acute accommodation shortage among Travellers.
4. As well as aspects of the methodology, we have strong reservations about the approach advocated towards provision for Travellers who do not come within the terms of the August 2015 definition, and the related issue of how that approach is translated into policy and provision within the City of York Local Plan, which we believe makes the plan vulnerable to legal challenge

Surveying Gypsies and Travellers

5. Surveying Gypsies and Travellers is not easy. Getting accurate evidence raises methodological challenges, and the August 2015 change in definition has added to the challenges.
6. It can be difficult to get Gypsies and Travellers to respond to interviews, particularly for organisations like ORS, who use non-community interviewers. The reasons include:
 - Travellers have varying levels of literacy. Many are nervous of forms and paperwork;
 - For many, their experience of bureaucracy is negative, and they may fear questions related to issues such as planning enforcement, whether those on a site are those meant to be there, and school attendance;
 - As non-Gypsies, they will be treated with caution and given information on a need to know basis.
7. The difficulties in surveying are shown by the high numbers, 32 out of 71 households, 45%, Figure 13, who ORS could not interview, either because they were not present, or because they refused to be interviewed.
8. ORS may have added to those difficulties by their approach. At paragraph 3.6 they refer to no stakeholder interviews being undertaken. Behind it, is a wider issue, of a practice by ORS of not engaging with Traveller communities, their representative bodies and local support groups, contrary to the explicit requirements of Planning policy for traveller sites, paragraph 7. It is difficult to get good results, if you don't build relationships with Travellers first.
9. In some parts of the country it is difficult to identify representative bodies and local support groups, but not in York. York Travellers Trust is trusted by many Gypsies, and could have made them aware of the survey and encouraged them to respond. ORS did not make use of YTT, apart from for the meeting for Travellers in bricks and mortar. Instead, they worked through the Council housing department, who are sometimes not trusted.
10. We assume the 71 households referred to in Figure 13 are those Traveller households ORS were able to identify. That is almost certainly not the totality of Traveller households in York. The study identifies Gypsies and Travellers in bricks and mortar housing as hard to identify. There will also potentially be need from the following, all of whom are also difficult to identify:
 - Substantially nomadic Travellers. This raises the risk the survey is biased in favour of the more easily identified Travellers on authorised

sites, and excludes those with the highest needs, who by their nature are more likely to come within the definition;

- Travellers who may want to move into an area; and
- Travellers who do not admit their identity for reasons such as fear of planning enforcement, racism and of their children being bullied at school.

11. These factors mean one should treat all the results with caution, and it is likely the overall Traveller population is significantly larger than the researchers suggest. In terms of the outputs of the study, it suggests the current and future need from 'unknown' households is likely to be greater.

Non-Interviewed Travellers

12. A major issue with the study is the approach to Travellers they were unable to interview, paragraphs 3.23 – 3.29, the population of which is likely to be significantly higher than the 31 households referred to in Figure 13.
13. We understand why ORS are resistant to extrapolating results to make assumptions about non-interviewed households, but that does not solve the problem of ensuring the community's needs can be met, and the Local Plan prepared on the basis of robust evidence. It is simply not acceptable to say, we were unable to interview these people, so we will ignore their needs. It would mean the plan would underprovide for York's most deprived community, whose rights are recognised under Equality and Human Rights legislation, and leave the plan vulnerable to legal challenge.
14. One way to get around this problem would be through a peer review by others with expertise in social research advising on how the gap in ORS's methodology can be filled.
15. There is a precedent for such an approach. When the East of England Regional Strategy Gypsy and Traveller Review was being prepared, it became clear that the accommodation needs assessments prepared for different parts of the region varied in standard and approach, and as a group, did not provide a robust evidence base. The Department for Communities and Local Government funded a study by a team led by Pat Niner at Birmingham University¹ which developed a methodology to benchmark the studies, and to fill any significant gaps in the evidence base, and applied that methodology to the East of England. That work enabled the East of England Regional Strategy Gypsy and Traveller to be taken through examination and adopted.

¹ Preparing Regional Spatial Strategy reviews on Gypsies and Travellers, DCLG, March 2007

The methodology was applied to Gypsy and Traveller regional strategies across the country prior to the abolition of regional strategies in 2010.

16. Building on the approach of the Niner study, filling the evidence gap in regard to the non-interviewed is likely to require making greater use of other sources of information, including the census, the caravan counts, and in York making use of Traveller Trust's knowledge of the Gypsy community. We are also struck by the lack of reference to previous needs assessments, including the April 2014 needs assessment carried out by ORS themselves.

The New Definition

17. The new definition adds hugely to the methodological difficulties, but because it is central to whether a household can get access to culturally appropriate accommodation, it is essential the results are dependable.
18. One of our main concerns is, whether on the basis of the questions in section F of the questionnaire, ORS can accurately determine whether a family has Gypsy status. I raised this issue in the letter to Ian Woodward:

'Determining which side of the line a family falls can be challenging. We particularly questioned your Question F3: What was the main reason for travelling: Please cross one box only. I am aware that Professor Thomas Acton has previously raised this issue with you in regard to the Essex GTANA.

While case law requires work to be a necessary and significant reason for travelling, in my experience Inspectors also take account of other dimensions of travelling, such as visiting relations, fairs, and going back to family graves. We did not find your reply that the answers to the other questions enable you to conclude whether a family does or does not have Gypsy status convincing. It does not make explicit on what basis the interviewer or those collating the responses should come to that conclusion. It leaves them in the position of judge over a family's future.'

19. Within Traveller communities, men and women tend to play different roles, the men away working, the women looking after children, site, and elderly. This means, visiting a site, you are more likely to interview the women, but they may be unwilling or not well enough informed to talk about their husband's and sons' work, which is central to the family meeting the definition.

20. Figure 12 of Appendix 1 brings out the difference between men and women. In 63% of travelling families, all the family travelled, in 32% just the adult males. We would question whether the interviews have captured all those families where the men spend a lot of the time away.
21. Significant time is spent at planning appeals teasing out whether or not a family comes within the definition. While the number of post August 2015 appeal decisions is limited, our impression is that when Inspectors have looked at individual cases, not as many Travellers have failed to meet the definition as ORS's studies suggest.
22. At paragraph 3.22, ORS themselves point to flexibility in the definition, noting that Travellers who fall outside the definition may be able to demonstrate a right to culturally appropriate accommodation under the Equalities Act. Figure 16 of Appendix A indicates that 23% of interviewed households are not travelling because of health issues, and 15% because of old age.² Not providing culturally appropriate accommodation to some of those people is likely to be discriminatory on grounds of disability or old age, which means a robust assessment needs to make some provision for such needs.
23. We then have two further reservations about how the study uses the new definition. Firstly, if the methodology is itself flawed, you cannot assume the approximately 10% of households finding from previous ORS studies, and apply that to the population of unknown Gypsies and Travellers, paragraphs 25.28, 5.29.
24. Secondly, the study appears to assume that not meeting the 2015 definition is a one-way street, that once so defined, households will remain non-travelling. Our understanding is that there is a more fluid relationship between traveling and non-travelling. For instance, nearly all single mother households would be defined as non-travelling, but it would be typical for her sons, when they enter their teens, to begin learning travelling for work with uncles. This could mean a household might switch back to coming within the definition, or that a non-travelling household could generate new travelling households through household formation. The GTAA does not allow for these possibilities.

Household Formation

25. ORS have developed an evidence based figure for household formation, the 1.5% compound figure used in the study. We are aware that the 3% figure

² Some people will be in both categories.

that was previously often used was probably too high, and in principle, ORS's work is welcomed. We do not have the expertise to challenge the 1.5% figure, although the fact that one of the inputs to their model was birth rates among Hungarian Roma suggests it needs looking at critically. We are aware of the views of others with expertise in this area that a case could be made for a range of between 1.5% and 2%. Given how widely ORS's model is being used across the country, we would advocate this area of work is peer reviewed.

Other issues with the methodology, and ORS's 'style'

26. There appear to be inconsistencies between the main findings and Appendix A. Figure 4 suggests that 16% of pitches are occupied by 2 families, but in the table on page 42, only 6 pitches are needed to address overcrowding/doubling up and concealed households. 16% of pitches in York would be at least 10. And that is just in regard to overcrowding.
27. Figure 10 of Appendix A suggests that 10 children will need a home in the next five years (out of 38 respondents). On page 42 only 5 pitches are needed. If other families were in the same position, you would expect a need for 17 pitches, and even if you went for 50% of these, at least 8.
28. Paragraph 3.35 indicates no interviews were completed with those in bricks and mortar. YTT arranged a meeting, which was not well attended. At the end of the meeting the ORS person asked Christine Shepherd how many people currently in bricks and mortar might want to return to a site. She suggested 10, and the ORS person indicated they thought the same. The validity of the 10 figure is suggested by the fact that that was the figure that came out of the April 2014 assessment when ORS were able to interview 8 families, Paragraphs 5.19, 5.20, Figure 3.
29. One of the Travellers did turn up late to the meeting. She met the researcher, and indicated she wanted to move from a house to a pitch. This evidence, neither the opinions about the scale of demand, nor the statement by the Traveller, is reflected in the study.
30. Figure 14 indicates there were three vacancies on sites. Paragraph 5.22 explains that reflected interview responses, with one household seeking to move to a local authority site elsewhere, and two to bricks and mortar accommodation elsewhere. These are aspirations, they may be acted on or not, and given the huge pressures on local authority stock, it is unlikely they can be met.
31. These points illustrate an underlying concern we have with ORS's approach, with what can be characterised as their house style. That style is to have high levels of confidence in the interviews they have carried out, and dismissive of alternative forms of evidence. The resistance to stakeholder interviews is symptomatic of this, as is ignoring the views of a very experienced worker who knows the Traveller community in York well. Interviews with Travellers

and those who work with them, as advocated by Government policy, can help reduce resistance to providing information, but also give a sense of the lived experience of the Travellers in an area, of what is really going on.

32. Some of the language used in the report may be significant. At paragraph 5.18 it refers to households that '*were not able to demonstrate that they travel away from their usual place of residence*'. As if the burden of proof is on the person interviewed to prove they meet the definition.
33. The tendency to depend only on evidence they have personally gathered, then has the knock on effect that the assumptions ORS make all are in the direction of reducing need: few are travelling, no evidence of Travellers wanting to move into the area, no evidence of need from Travellers in bricks and mortar etc.
34. Rather than this hard evidence based approach, we would want the report to reflect a more measured, cautious approach that is explicit about the difficulties in getting dependable results from interviews with Travellers, and admits that there is likely to be need from sources they have been unable to capture.

Travellers who do not meet the August 2015 definition

35. S.8 of the 1985 Housing Act, as amended by s.124 of the Housing and Planning Act 2016 requires the Council to consider the needs of people residing in or resorting to the city with respect to sites for caravans and mooring of houseboats. We question the suggestion, at paragraphs 1.9 and 3.28, that such an assessment should be undertaken through the SHMA. The SHMA is an assessment of needs for housing, including types, tenure and size, and for economic development, and there is logic in feeding information about the needs for such accommodation into it, but in our view, in the York context, in regard to need for caravan accommodation, it would be more efficient for such assessment to be made through the GTAA.
36. The Draft Guidance,³ makes clear the assessment of caravan and houseboat needs:
 - is concerned with those with need to live in a caravan or houseboat whatever their race or origin, including bargees, Romany Gypsies, Irish and Scottish Travellers, new-age travellers and travelling show people;
 - should address a range of needs, including households with no authorised site, whose accommodation is overcrowded or unsuitable, suppressed households, and those unable to access space on an authorised site, or obtain or afford land to develop;
 - their needs may differ from the rest of the population because of their nomadic or semi-nomadic life, preference for caravan and houseboat-dwelling, movement between bricks-and-mortar housing and caravans

³ Draft Guidance to Local Housing Authorities on the assessment of housing needs, Caravans and Houseboats, DCLG, March 2016

or houseboats, and presence on unauthorised encampments or developments;

- should involve engagement with the community; and may require a specialist survey or research.

37. This means such a study is extremely like a Gypsy and Traveller accommodation needs assessment, except it relates to Travellers who happen to fall outside the 2015 definition.
38. We therefore recommend the GTAA is reworked so it also conforms with the requirement of the Housing and Planning Act in regard to Gypsies and Travellers who may fall outside the 2015 definition. Putting aside our concerns about how robustly it has been done, Appendix B provides the basis for such an assessment. Through it, ORS should have nearly all the information required. This will be much cheaper than at a later date having to commission a further assessment of non-travelling Travellers.

The Local Plan

39. There is then the question of how the needs of non-Travelling Gypsies and Travellers are to be met. Appendix B suggests a need for 28 pitches. On the basis that it will quickly be established there is no public or private provision available to meet those needs, it implies the requirement for allocations in the local plan, and policy mechanisms to ensure their provision, including through strategic housing developments.
40. Here, we would make the point that a local plan based on the ORS needs assessment, while ignoring the needs of those who fall outside the definition, or that they could not interview, would be discriminatory. It would ignore the requirement in the Housing Act to assess those seeking caravan and houseboat accommodation, many of whom are Gypsies. It risks encouraging unauthorised encampment and tensions between communities over planning applications and enforcement, and a succession of cases, which would engage families' rights under Article 8 of the Human Rights Act, 1998, and case law on the best interests of the children.
41. It is difficult to imagine how a decision to promote and adopt a plan prepared on such a basis would be compatible with the Council's responsibilities in regard to Article 14 of the Human Rights Act, or the Public Sector Equality Duty under s.149 of the Equalities Act 2010, which requires the Council to have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - Advance equality of opportunity between people who share a protected characteristic (which includes Romany Gypsies and Irish Travellers) and those who do not; and
 - Foster good relations between people who share a protected characteristic and those who do not.

42. We would make one further point. Without more extensive interviews, which are likely to be resisted by Travellers, it will be difficult to determine whether a family comes within the definition. A family may meet the definition at one stage, and some years later not. Research to divide Gypsies and Travellers between the two will be expensive, and risks being the equivalent of counting angels on a pinhead.
43. A simpler, less resource expensive approach would be to survey Gypsy and Traveller households with need for caravan accommodation, whether or not they come within the definition, and allocate sites, which could be developed for and occupied by households on either side of the divide.
44. In terms of allocations made through the local plan, as opposed to sites brought forward on a speculative basis by Traveller owners, this should make no difference to the type of sites required. Sites for both categories of Travellers would need to be deliverable, with reasonable access to services, not in Green Belt, not in open countryside, and not at risk of flood.
45. We appreciate it is unlikely this was what Ministers intended through the Housing and Planning Act and 2015 revision of Planning policy for traveller sites, but we believe a Local Plan which ignored the needs of Gypsies and Travellers who fall outside the new definition risks legal challenge, and that what we propose is pragmatic and lawful.

Conclusions

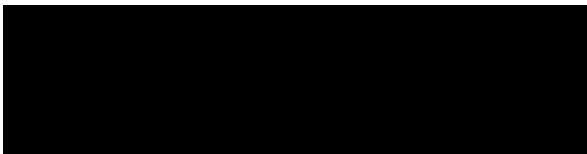
46. The following parts of ORS's methodology should be subject to peer review by others with expertise with social research and demographics:
 - the gap in regard to households they were unable to interview, with the objective of developing an approach to fill that gap;
 - the household formation model.
47. The emerging GTAA should be redrafted:
 - including of Gypsies and Travellers who meet and do not meet the definition;
 - admitting the uncertainties in the evidence, and being more cautious and less dogmatic in its findings;
 - removing the reference to 3 vacant plots; and
 - recognising the likely need from housed travellers.
48. The Local Plan should be based on allocating sites for Gypsies and Travellers irrespective of whether the occupants meet the 2015 definition.
49. In terms of the outputs from the ORS study, the plan would need to make provision for the following pitch needs, 2016-2032:
 - 4 (Figure 14, less 3 vacant pitches, potentially adjusted in light of the review of the household formation rate)

- + 10 (Seeking to move from bricks & mortar + any additional households from household formation)
- + 28 (Non-Travelling Travellers, Appendix B, potentially adjusted in light of the review of the household formation rate)
- + An appropriate allowance for households they were unable to interview, plus household growth in that group (and less households moving from bricks and mortar to avoid double-counting).

This adds up to 42, plus the un-interviewed element, and any adjustment for household formation.

50. This can be compared with ORS's April 2014 assessment. That suggested a then current need for 28 pitches (net 22 taking account of the 6 additional at Osbaldwick), plus a further 44 to 2030, a total of 66.
51. We are not aware of any significant change in the conditions or demographics of York's Traveller population between 2014 and 2016, as opposed to how they are measured by others, which suggests the level of need has changed. This suggest the 66 figure of is of the right scale, and should be used as the basis of the Local Plan.
52. At paragraphs 10-14 of its July 2014 response to the CYC Local Plan Further Sites Consultation, YTT indicated that the 2014 needs assessment may have underestimated need from unauthorised development and housed Travellers, and that the 66 additional pitch target should be treated as a minimum, and kept under review. That remains YTT's position.

Yours sincerely,



Michael Hargreaves BA BTP MRTPI

Future accommodation needs of the Gypsy and Traveller Community in York

York Travellers Trust, July 2017

1.0 Introduction

- 1.1 York City Council is producing a development plan for the city covering the next 15 to 20 years. To inform the plan's approach to provision for Gypsies and Travellers, the Council commissioned Opinion Research Services (ORS) to carry out an assessment of the accommodation needs of the community, the City of York Gypsy and Traveller Accommodation Update, September 2016.
- 1.2 York Travellers Trust (YTT) has significant reservations about ORS's failure to engage with the Traveller communities and those who work with them, and with a number of aspects of ORS's methodology, which it believes has led the assessment to underestimate the size of the population and the level of need. These concerns are not limited to York. Gypsies and Traveller communities and those working with them across the country have concerns with ORS's approach to assessments.
- 1.3 To test the ORS assessment, YTT has taken the opportunity of having two MA Social Work students on placement from York University to carry out its own survey. The survey reflects the limited time and resources available for carrying it out. It does not claim to be comprehensive, but to throw light on some of the methodological challenges in surveying Gypsies and Travellers, and on some of the weaknesses in ORS's work. The survey results also suggest implications for the new provision needed.

2.0 Study Approach and Methodology

- 2.1 The survey questionnaire at Appendix 1 was designed by Michelle Potts of York University and YTT's planning adviser, Michael Hargreaves. The survey was conducted by Michelle Potts and Jessica May of York University, and by YTT support workers, Cally Smith and Denise Lambert, who are members of the local Gypsy community.
- 2.2 The survey addressed three main areas: current accommodation; future accommodation needs; and travelling. Compared with ORS's approach, as well as data, the survey sought to understand respondents' attitudes, experiences and aspirations. YTT sees this as important on the basis that planning for the future of the Gypsy community should reflect the community's priorities and aspirations, rather than the definition of their needs and the imposition of solutions by professionals, the Council and its staff.

2.3 Opportunity sampling was employed as this was thought to be the most efficient method to collect the data. When they visited the Trust, community members were asked if they wanted to complete the survey. This does mean that the sample was biased towards those who use YTT's services. The support workers also went out to the local authority Traveller sites in York to interview residents. The interviews were carried out between 30 May and 8 June 2017, and in all 35 interviews were completed.

3.0 Survey Results

Table 1 Gender and current accommodation of respondents

Total Sample Size = 35				
Gender	Female = 29	Male = 6		
Accommodation	Bricks and Mortar = 11	Council site = 22	Unauthorised site = 1	Nomadic, living roadside = 1

3.1 Table 1 shows the gender split and current accommodation of the sample population. There is a significant gender imbalance, and this may have skewed some of the responses, for example working and travelling.

3.2 Compared with ORS's work, the study was successful at contacting Travellers in bricks and mortar housing, two of whom occupied housing association accommodation, the other 9 local authority. Of the interviews from residents on Council sites, 15 were from Clifton, 7 from James Street, and none from Osbaldwick. As well as from sites and bricks and mortar, interviews were completed from one resident of an unauthorised site and one from a nomadic family living roadside.

Current accommodation

Table 2 Gypsies and Travellers living in Bricks and mortar

Total N = 11 responses			
Is your accommodation Overcrowded	Yes = 6	No = 5	
Would you move onto a pitch if you had the opportunity?	Yes = 9	No = 1	Unsure = 1
Average number of adults and children per household	Adults: 3 (range 1-5)	Children: 2 (range 0-5)	
Average number of bedrooms per household	3 (range 1-4)		
Will you and/or your family need accommodation in the future?	Yes = 10	No = 1	

- 3.3 Table 2 brings out the data from participants in bricks and mortar housing. Over 50% indicated they experience overcrowding. This included a household with 5 adults and 1 child with 3 bedrooms, another with 3 adults and 4 children and 2 bedrooms.
- 3.4 While a notably high proportion, 9 out of 11, indicated they would move onto a Traveller site if they had the opportunity, when asked what they like about their current accommodation, most respondents identified positive aspects, and only two were wholly negative, plus another who gave no response. Positive features included having *'everything under one roof'*, privacy, and *'not having to go outside to the bathroom'*. One participant said *'I like everything about it'*, and another commented on how housing made it easier to meet disability needs. The other factor seen as positive was location, being close to town, shops and schools.
- 3.5 When asked what they didn't like about bricks and mortar housing, the issue that came out most strongly was isolation, and, and desire to be closer to family and the community. Comments included *'I miss being part of the community'; 'it's isolated'; 'not as good as a site, not your roots';* and *'you're not around your extended family, there's no support from the wider community'*. Individual concerns included the need for their own place (from someone in a particularly overcrowded household), and that there was nowhere to keep a caravan.

Table 3 Gypsies and Travellers living on sites

Total N = 22 responses		
Is your accommodation Overcrowded	Yes = 14	No = 8
Number of adults and children per plot averages and ranges	Adults: 2 (range 1-4)	Children: 2 (range 0-7)
Average number of mobile homes and touring caravans	Mobile home = 1 (range 1-3)	Touring caravan = 1 (range 1-2)
Will you and/or your family need accommodation in the future?	Yes = 22	No = 0

- 3.6 Even more than residents in housing, a notable proportion, 14 out of 22 complained of over-crowding. Examples included 4 adults and 1 child sharing a mobile home, and 2 adults and 5 children a mobile home and a touring caravan. Specific comments focussed on families being forced to double up, pitches being too small, and, particularly in regard to Clifton, the wash-houses being small and in need of upgrading.
- 3.7 In response to the question *'What do you like about your current accommodation, and how it meets your needs?'*, much the strongest theme was being near family and part of the community. The other aspect that was valued was the location, with access to shops, schools, and the town centre. Comments included: *'Family is near*

to me, I care for my mother and I'm close to the community and facilities'; and 'being close to people, community, family'.

3.8 In response to the questions 'What don't you like about your current accommodation, and how it does not meet your needs?', the major themes were overcrowding, including being doubled up and needing a place of their own, complaints about the quality and size of the facilities, about high rent levels, and the poor maintenance and service by the Council. For residents of James Street, which had experienced severe flooding, flooding and the fear of flooding figured strongly.

Future accommodation

3.9 The strongest single theme that came out of the whole survey was concern about future accommodation needs. 34 out of 35 participants, all 22 on council sites, 10 out of 11 in bricks and mortar, responded 'yes' to the question, 'Will you or your family need more accommodation in the future, for example because of a son or daughter getting married?' When asked why, with few exceptions, nearly everybody, mentioned an interconnected group of issues around existing overcrowding, families growing, and anticipating their children and teenagers getting married and having their own families, and needing their own accommodation.

3.10 Respondents were asked to rate five option for future accommodation: A council flat or house in York; an extension to an existing Council site, such as Clifton; a new Council site within the existing town; a new Council site a couple of miles outside the existing town; and a small private site where you could buy a pitch a couple of miles outside the existing town. Participants were asked to give a score from 1 to 5 for each option where 1 meant we would not want that type of accommodation at all, 2 we would not want that type of accommodation, 3 that kind of accommodation would be OK, neither great nor awful, 4 that type of accommodation sounds as if it would be good for us, and 5 that type of accommodation would be ideal for us.

Table 4 Preferences for future accommodation (Total responses 35)

	Council house/flat in York	Extension to an existing Council site	A new Council site within the existing town	A new Council site a couple of miles outside of town	A small private site where you could buy a pitch outside of town
1, would not want at all	17 (49%)	1 (3%)	0	7 (20%)	10 (29%)
2, would not want	4 (11%)	1 (3%)	1 (3%)	3 (9%)	3 (9%)
3, would be OK	2 (6%)	1 (3%)	4 (11%)	10 (29%)	9 (26%)
4, good	4 (11%)	1 (3%)	8 (23%)	7 (20%)	9 (26%)

for us					
5, ideal	8 (23%)	31 (89%)	22 (63%)	8 (23%)	7 (20%)

- 3.11 Table 4 brings out the preferences expressed both as absolute numbers and percentages. For instance, 17 out of the 35 (49%) would not want a Council house or flat at all, and a further 4 (11%) would not want one.
- 3.12 By some distance the most favoured approach was an extension to an existing site, with 31 out of 35 respondents (89%) seeing it as ideal, and a further 1 as good. Second favourite was a new Council site within the existing town, which 22 (63%) saw as ideal, and a further 8 (23%) as good. There was then similar levels of support for the other three options, 8 ideal and 7 good for a new site a couple of miles outside town, 7 ideal and 9 good for buying a pitch on a small private site, and 8 ideal and 4 good for a Council house or flat.
- 3.13 If one then looks at what respondents didn't want, much the most unpopular was a Council flat or house, followed by a small private site where you could buy a pitch, and a new Council site a couple of miles outside town. Numbers not wanting an extension to an existing site, or a new site within the town were very small.
- 3.14 There were significant differences between site residents and those in bricks and mortar. While for both groups the first preference was an extension to an existing site followed by a new Council site within the town, the most striking difference, unsurprisingly, was in regard to bricks and mortar accommodation, which was relatively popular for those already in housing, but unacceptable to nearly all site dwellers.
- 3.15 Comments on future accommodation options were consistent with answers to earlier questions. The concern about being close to the community came out strongly, but also concerns about accommodation pressure and future needs. Specific comments included: *'as long as we can stay close to our community and family'*; *'more pitches and bigger'*; *'want to stay within the community, whether that's in a caravan or house'*; and *'there's definitely a need for our kids'*.
- 3.16 There was a spread of responses to the question *'Would any members of your family want to buy a pitch?'*. While 14 said no, or probably not, and a further 6 don't know, or perhaps, 6 (5 of them currently living on Council sites) replied yes, or probably; and a further 9 yes, but dependent on certain conditions. The same concerns came up among those who were interested, if certain conditions were met, and those who would not wish to buy a pitch. The single biggest reservation was about affordability. The other points that came up were about separation from the community, and about who else would be on the site.
- 3.17 Although there was no specific question about the needs of people with disabilities, it came up unprompted a couple of times. One participant indicated she would love to move back onto a site, but it would need to be disability friendly. Another currently on a site outlined how disabled access needed to be improved.

Travelling

- 3.18 Table 5 shows the responses to the questions: *'How important is travelling away from your home for your family?'*; *'Do any members of your family regularly travel during the year?'*; and *'If so, who?'*. The responses suggest there is something of a division within the community, with 17 out of 35 giving positive responses about the importance of travelling for their family, and 19 indicating they or their family travelled regularly, and a further 13 indicating they didn't travel regularly.
- 3.19 Overwhelmingly, for those who do travel, the whole family travels. Only one respondent said it was only the men and boys. The value of travelling was conveyed many times, with one participant stating *'Travelling with family and friends is very fulfilling! We are all close to our families, and have strong bonds'*. Comments suggested that travelling as a family and to fairs, helps maintain family bonds and a sense of cultural heritage.

Table 5 Travelling

	Responses		
Is travelling important to you?	Positive responses* = 17	Negative responses** = 9	No response, not applicable & other = 9
Do you and/or your family travel regularly?	Yes = 19	No = 13	Other responses *** = 3
Who travels?	Men and boys = 1	All the family = 21	

*Positive responses included 'yes', 'very important', 'yes for work', and 'very important, part of my culture'.

**Negative responses included 'I don't travel', 'Not for me', and 'Not important, like to stay in the same place'.

***Other responses included 'Not as much anymore', 'I don't, but my uncle does', and 'Just out of necessity'.

- 3.20 In response to the question *'How much of the year are they away travelling typically?'*, two respondents said six months, and the roadside family indicated they were always travelling and were moved on every 21 days. There were then five families who travelled between 6 weeks and 3 months, a further 11 who travelled between a week and a month, and 14 who did not travel, or who did not give an answer.

Table 6 Reasons for travelling and not travelling

Reasons for travelling	Work	Holidays	Visiting family	Fairs	Other		
	26%	54%	34%	51%	*6%		

Reasons for not travelling	School	Poor health	Old age	Being settled	There is nowhere to stop	Lack of work	Other
	40%	29%	17%	28%	31%	3%	**6%

*Responses included 'We get moved on' and 'It's a lifestyle'.

**Responses included 'work' and 'working full-time'.

3.21 Table 6 shows the reasons for travelling. It brings out that many families travel for a combination of reasons. Holidays (54%) and fairs (51%) were the most common, followed by visiting family (34%), and for work (26%).

3.22 Table 6 also brings out the reasons for not travelling. The most common reason, related to children being in school, 40%, followed by the lack of places to stop, 31%, poor health, 29%, being settled, 28%, and old age, 17%. 1 person mentioned the lack of work.

4.0 Conclusions

4.1 There are high levels of existing over-crowding within the community and very strong concerns about future needs as the next generations marry, have children, and need accommodation themselves.

4.2 While the numbers recorded as travelling for substantial periods of the year were small, this doesn't mean that numbers that meet the 2015 definition are as low as the three suggested by ORS. There are a group of reasons for this. Their approach to questioning suggests ORS only take account of travelling for work. Travelling for work purposes needs to be part of why families travel, but as brought out by the survey, travelling is often multi-functional. In *Maidstone BC v Secretary of State for the Environment and Dunn, 1996*, it was held that a Romani Gypsy who bred horses and travelled to horse fairs, where he bought and sold horses, and who remained away from his site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status. Secondly, ORS did not manage to interview 31 households (and probably significantly more). Thirdly, by definition, this survey, like that by ORS was less likely to capture those who were away travelling. Fourthly, children being at school was a major reason for not travelling, which is a temporary situation

4.3 Whether or not they come within the August 2015 planning definition, S.8 of the Housing Act as amended by s.124 of the Housing and Planning Act 2016 requires the Council to assess the needs of people residing in or resorting to the city with respect to sites for caravans. The study confirms that nearly all of the Travellers living in caravans currently in need or whose families will have needs in the future, and many in bricks and mortar housing require caravan accommodation. Gypsies and Travellers are York's most deprived community, and to ignore those needs would exacerbate that deprivation. It would also be discriminatory, contrary to the Equalities Act, 2010

because it would impact disproportionately on Gypsies and Travellers, and the elderly and long-term sick.

- 4.4 This means the emerging CYC Local Plan needs to allocate land for a significant number of pitches. There is a strong case for a supply of sites, which could be developed for both Travellers who meet and who fall outside the August 2015 definition. There are a group of reasons for this. The types of locations which would work well for both classes of Travellers (and for their house dwelling neighbours) are similar, that is small to medium sized sites, a little distance away from other residential development with good local services, adequate road access, not at risk of flooding, and without impacting strongly on the landscape or open countryside. In practice, it is challenging to distinguish between households who meet the definition and those who do not; many extended families will have households who fall both sides of the line, and some households will be on one side at one time and the other at another.
- 4.5 The study then gives a number of messages about the type of provision which would meet the local Gypsy community's needs (and we would make the point that making provision that does not meet the community's needs, for instance requiring people to live in new sites away from their existing family and community would be resisted and risks being unsuccessful).
- 4.6 Based on the survey:
- extensions to existing sites should be the first preference for new provision. Specifically, this should include an extension on to the vacant Council owned land adjacent to Clifton, which has the potential for a further 6-8 pitches;
 - where potential for extensions may not exist, as for instance adjoining James Street, we would support a search for nearby land which could provide a satellite to the existing site;
 - It is unlikely that extensions & satellites will be able to meet all needs, which points to the need for new sites. The strong emphasis on remaining close to the existing community suggests the priority should be for sites within or very close to the urban area, either through redevelopment, such as on the MoD sites, or on green field sites on the edge of the built-up area, or close to it. This then has potential implications for the definition of York's inner green belt boundary.
- 4.7 In terms of tenure:
- The implication of the small numbers interested in and the reservations about buying private pitches suggests the principle provision will need to be through rented, socially managed sites;
 - There is some cautious interest in the opportunity to buy a pitch on a small private site. Based on views from the survey and experience elsewhere, sites with a small number of pitches, perhaps 3 to 6 pitches that could be bought by related members of an extended family, are the most likely to be popular and successful;

- There are few, if any, examples of such an approach across the country, and rather than assuming such an approach could meet a significant proportion of needs, it would be better to start with a pilot, and if it successful, extend it subsequently.

4.8 One clear implication from the survey is that the needs of the community could be better met by a more flexible approach to the accommodation to be provided. This might involve:

- providing fully disabled accessible bungalows, which could be attractive particularly to older Gypsies with mobility limitations, freeing up existing pitches for families in need;
- the comment about there being nowhere with bricks and mortar accommodation to keep a caravan chimes with the situation our planning adviser has met a number of times, where some members of a family are happy to live inside, while others, typically the men, are insistent on sleeping in a caravan. This suggests a possible model, which provided a bungalow or dormer bungalow providing living accommodation, and limited bedroom accommodation, plus space for 1 or 2 touring caravans outside;
- some larger pitches, which the biggest families could relocate to, freeing up existing pitches.

Again, we can see merit in a pilot based on such elements. The extension to Clifton might be a suitable candidate for developing these ideas, which, if successful, could be extended to further sites.

Appendix 1, The Survey Questionnaire

York Travellers Trust Gypsy & Traveller Accommodation Survey May 2017

York City Council is producing a plan for the city covering the next 15 to 20 years. It will indicate where new housing, shops, and businesses will be developed, plus how much additional accommodation is needed for Gypsies & Travellers.

A survey has been carried out by the Council, which suggests there is a need for an additional 43 pitches for Gypsies and Travellers over the next 20 years. York Travellers Trust believes the level of need is higher. But for the Council to accept this level of need represents a step forward.

The City Plan gives York Travellers Trust a once in a generation opportunity to make the case for additional pitches, but also to influence what type of new accommodation should be provided.

Please answer the following questions. It should only take a couple of minutes. We cannot guarantee how much additional accommodation will be provided, but we want to make sure discussions about new sites take account of what Travellers in York actually want.

All responses will remain anonymous. You will not be able to tell who said what. The information will only be used to make the case for more accommodation that meets the needs of the Gypsy community in York.

Date / time of interview -----

Name of interviewer -----

Name of family -----

Please circle: Male or Female

Thinking about your current accommodation,

1. Type of accommodation (*Interviewer, indicate one*)
Council site / private site / unauthorised site / bricks and mortar housing
(council, private, housing association) / we have no home base
2. If Council, private, or unauthorised site, number of the following on the pitch:
Mobile homes -----; Touring caravans ----- ; Day rooms ----- ; Other
(please specify) -----.
3. If bricks and mortar housing, number of bedrooms -----.
4. How many adults ----- , and how many children ----- occupy your existing site / flat / house?
5. What do you like about your current accommodation, and how it meets your needs? (*Interviewer write any responses down*)
6. What don't you like about your current accommodation, and how it does not meet your needs? (*Interviewer write any responses down*)
7. Do you think your existing accommodation is overcrowded?
Yes / No
8. If yes, why is that? (*Interviewer write any responses down*)

Thinking about your family's future accommodation needs

9. Will you or your family need more accommodation in the future, for example because of a son or daughter getting married?

Yes / No

10. If yes, why is that? (*Interviewer write any responses down*)

We will describe a number of different types of accommodation that could be provided for Travellers in and around York.

For each of them, can you give them a score of 1 to 5, where 1 means we would not want that type of accommodation at all, 2 means we would not want that type of accommodation, 3 means that kind of accommodation would be OK, neither great nor awful, 4 means that type of accommodation sounds as if it would be good for us, and 5 is that type of accommodation would be ideal for us.

Again, we would stress these are only suggestions. We cannot guarantee any additional accommodation will become available, but we want to know what you think.

11. A council flat or house in York?

1 2 3 4 5

12. An extension to an existing Council site, such as Clifton?

1 2 3 4 5

13. A new Council site within the existing town?

1 2 3 4 5

14. A new Council site a couple of miles outside the existing town?

1 2 3 4 5

15. A small private site where you could buy a pitch a couple of miles outside the existing town?

1 2 3 4 5

16. Interviewer, write down any comments on the type of future accommodation:

17. Would any members of your family want to buy a pitch on a new private site?

18. Interviewer, write down any comments on buying a pitch on a private site:

19. If you are currently living in bricks and mortar, would you move on to a site if you had the opportunity?

20. Interviewer, write down any comments on moving from bricks and mortar accommodation:

Thinking about travelling

Whether you or members of your family travel regularly, particularly to find work, may be important in getting planning permission for a site.

19. How important is travelling away from your home for your family?
Interviewer, write down any comments:

20. Do any members of your family regularly travel during the year?

21. If so, who? (*Interviewer, indicate one*)

Men and boys All the family Other (please specify)

22. How much of the year are they away travelling typically?

23. What are the main reasons that they travel (*Interviewer, please indicate any that apply*)

Work ----- Holidays ----- Visiting family ----- Fairs ---
----- Others (please specify) -----

24. If you or your family do not travel, what are the main reasons?

Interviewer, indicate any that apply:

Children at school ----- Poor health ----- Old age -----

We are settled now ----- Nowhere to stop ----- Lack of work -----

Other (please specify) -----

25. Interviewer, write down any comments about travelling:

Thank you for your help

**Actions Required following Hearing Sessions for
Matters 9 to 13 (Week Three)**

Further to the discussions at the week three hearing sessions (14-16 November), the following actions are required. The Inspector considers these to be necessary at this stage of the examination to inform his consideration of whether the Plan is sound and/or how it could be made sound by main modifications.

Unless otherwise stated, each of the action points is for the Council to pursue. Where appropriate and possible, the Council should liaise with relevant participants in preparing its response.

Responses should be submitted to the Programme Officer by midday on Thursday 30 November 2017. The responses will then be published on the examination website and sent to participants of the matter in question.

Matter 9: Design, mix, size, type and tenure of housing

Housing Mix and Tenure to Meet Local Needs

AP9.1 Modify paragraph 8.1.5 to ensure that it does not place an onerous requirement on developers to justify their **scheme's** proposed mix and tenure of housing, but rather that it advises that housing developments are expected to have regard to local evidence about housing needs including the latest SHMA and parish needs surveys.

Nationally Described Space Standard

AP9.2 Modify policy H1(1) and/or paragraph 8.1.4 to state that the requirement to comply with the nationally described space standard will come into effect 12 months from the date of the Plan being adopted (in order to provide an appropriate transition period in accordance with national guidance).

Self and Custom Build Housing

AP93. Modify policy H1(3) and/or the reasoned justification to clarify that self and custom build housing is encouraged on all allocations and on windfall sites that are in accordance with other policies in the Plan.

AP9.4 Modify policy H1(3) to clarify that the number of self build plots required on sites of more than 20 dwellings could be more or less than 5% depending on identified demand.

AP9.5 Modify paragraph 8.1.7 to clarify the cascade mechanism including with regard to the 12 month marketing period being from the start of development or

earlier if appropriate (for example if a site is likely to be completed in less than a year), and that any plot offered to the Council or Registered Provider would be at market value.

Housing for the Elderly

AP9.6 Modify paragraph 8.4.1 to refer to the total number of (a) sheltered and/or extra care units and (b) residential care home bedspaces that are expected to be needed between 2017 and 2031 (as opposed to the figures included in the schedule of proposed main modifications published on 13 November [ED053]).

AP9.7 Modify the **opening sentence of policy H4 to refer to “sheltered and extra care housing, care homes ...”**.

AP9.8 Modify policy H4(d) and paragraph 8.4.5 to clarify that all developments of specialist accommodation for the elderly that fall within use class C3 will be expected to include affordable housing in accordance with policy H2, and that developments that include self contained units as part of a larger residential care home scheme will also be required to provide a proportion of those self contained units as affordable homes in accordance with policy H2. In drafting the modification, consideration should be given to the wording of the similar policy (as modified) in the Gloucester, Cheltenham and Tewkesbury Joint Core Strategy.

AP9.9 Modify paragraph 8.4.3 to clarify that, whilst regard should be had to the views of Gloucestershire County Council and NHS Gloucestershire, it is not a **requirement for development to comply with those bodies’ strategic aims and objectives** or for them to provide written support for the proposed development.

AP9.10 Delete the additional monitoring indicator for policy H4 included in the **Council’s schedule of proposed main modifications [ED053] that refers to “specialist accommodation for older people met through alternative strategies”**.

Matter 10: Affordable Housing

AP10.1 Modify policy H2(2) and/or the reasoned justification to clarify that financial contributions by way of a commuted sum towards meeting affordable housing need would be made on completion of development.

AP10.2 **Modify the second sentence of policy H3(1) to refer to “... the built up areas of towns and villages ...”**.

AP10.3 The Inspector does not, at least at this stage of the examination, require further information from the Council about the number of additional affordable homes that are needed during the plan period.

Matter 11: Gypsy, Traveller and Travelling Showpeople sites

Evidence of Needs

AP11.1 Modify paragraphs 8.7.3 to 8.7.8 to refer to the latest evidence about

the need for gypsy and traveller accommodation¹. The modified text should refer to that evidence indicating that there is a need for additional pitches for between **3 and 14 households that meet the national definition of "gypsies and travellers"**² and that there are also likely to be a further 13-24 additional households that will need appropriate accommodation who do not meet that definition.

Policy H7 and Site Allocations

AP11.2 Modify policy H7(2) to refer to there being capacity at the Shorncote site for an additional 5 pitches (to reflect the latest evidence of available pitches), and to delete reference to allocated site GT5 at Seven Springs for 1 pitch (on the basis that it now has planning permission).

AP11.3 The Inspector will advise in due course whether policy H7 in the submitted Plan is sound in other respects, or if not what main modifications are needed to ensure that it is. In the meantime, no modifications to policy H7 (other than those referred to in AP11.2) need be prepared by the Council.

Matter 12: Economic Development

Cotswold Airport

AP12.1 Amend the last sentence of paragraph 12.2.8 that is included in the **Council's schedule of proposed main modifications [ED053] to read as follows: "Any proposals for small scale employment development at Cotswold Airport outside the areas shown on the Policies Map would be subject to policy EC3 clause 2". The proposed inset to the Policies Map should be published with the Council's response to this action point.** The Council should liaise with CEG regarding the proposed modification to SP2, reasoned justification and Policies Map.

Rural Diversification

AP12.2 Modify policy EC5 and/or the reasoned justification to clarify (a) what is meant by **"land-based rural business"** and (b) **which elements of the "existing use"** are necessary to ensure that the business as a whole can continue to operate viably.

AP12.3 Modify policy EC5(c) and paragraph 9.2.4.5 to make it clear that a whole farm business plan will only be required to support proposals for rural diversification where necessary, and to clarify the circumstances when this is likely to be so.

Conversion of Rural Buildings

AP12.4 Modify policy EC6 to delete **"Subject to policy EN9"**. Modify the reasoned justification to refer to other Plan policies that are likely to be relevant to proposals for the conversion of rural buildings (including H6 and EN13).

Cross Referencing between Policies

¹ Gloucestershire Gypsy and Traveller Accommodation Assessment (ORS, March 2017) [EB027].

² Planning Policy for Traveller Sites (DCLG, August 2015).

AP12.5 Further to AP12.4, consider whether there are any other policies in the Plan that, due to the specific nature of the development that they apply to, need to be cross referenced in the reasoned justification relating to other policies that deal with similar types of development.

Tourist Accommodation

AP12.6 Modify policies EC11(1) and EC11(3) to refer to "... will be permitted only where ...".

AP12.7 Reinstate policies EC11(5) and EC11(6) regarding the removal of holiday let occupancy conditions that were deleted by FC061.

Matter 13: Town Centres

AP13.1 Modify policy EC8(5) relating to Cirencester town centre as necessary to reflect revised policy S3 included in the schedule of proposed main modifications [ED053].

William Fieldhouse

Inspector

16 November 2017

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		
First Name	Violet	Michael
Last Name	Cannon	Hargreaves
Organisation (where relevant)	York Travellers Trust (YTT)	Michael Hargreaves Planning
Representing (if applicable)		YTT
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

 X

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No X

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

See the continuation sheet, Paras 5.37 - 5.39, Table 5.3.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No X

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared X Justified X
 Effective X Consistent with national policy X

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.

5.37-5.39

Policy
Ref.

--

Site Ref.

--

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

<p>See the continuation sheet, Paras 5.37 - 5.39, Table 5.3.</p>
--

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

See the continuation sheet, Paras 5.37 - 5.39, Table 5.3.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the X examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The plan's policies will not meet the needs of York's long established Gypsy community. They are likely to be indirectly discriminatory and contrary to the Public Sector Equality Duty. They are at risk of failing the four soundness tests.

York Traveller Trust is the only local organisation in York working for and on behalf of Travellers and is uniquely positioned to represent the community, and to ensure their voice is heard at the examination.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

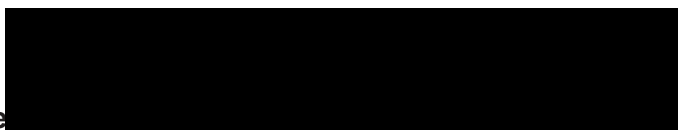
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Signature



Date

21 March 2018

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City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

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Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		
First Name	Violet	Michael
Last Name	Cannon	Hargreaves
Organisation (where relevant)	York Travellers Trust (YTT)	Michael Hargreaves Planning
Representing (if applicable)		YTT
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

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Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

 X

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

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4. (1) Do you consider the document is Legally compliant?

Yes

No X

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

Please see the continuation sheet, Policy H5.

What does 'Sound' mean?

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Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No X

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared X Justified X
 Effective X Consistent with national policy X

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph

Policy

Site Ref.

no.

Ref.

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You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Please see the continuation sheet, Policy H5.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

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Yes, I wish to appear at the X examination

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The plan's policies will not meet the needs of York's long established Gypsy community. They are likely to be indirectly discriminatory and contrary to the Public Sector Equality Duty. They are at risk of failing the four soundness tests.

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Paragraph
no.

5.37-5.39

Policy
Ref.

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Site Ref.

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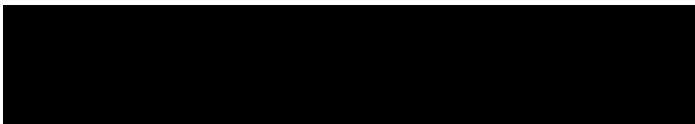
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,York Travellers Trust
Response to the City of York Council Local Plan
Regulation 19 Consultation, February 2018

Paras 5.37 - 5.39 and Table 5.3

Q.4 (3)

Why Paras 5.37 - 5.39 and Table 5.3 are not legally compliant

1. Race, which includes Romany Gypsy and Irish Traveller ethnicity, is one of the Protected Characteristics under the 2010 Equality Act. On the basis that it significantly underestimates needs, it is difficult to see how a decision to adopt the York Local Plan on the basis of the current draft would be compatible with the Public Sector Equality Duty under s.149 of the Act, which requires public authorities, which we understand to include Planning Inspectors to have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

2. It is also likely to be indirectly discriminatory contrary to s.19 of the 2010 Equality Act, that is the Council would be applying to the Gypsy and Traveller community a *'provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic'*.

Q.5 (3)

Why Paras 5.37 - 5.39 and Table 5.3 fail the soundness tests

3. We have a number of concerns with the 2017 Gypsy and Traveller Accommodation Needs Assessment (GTAA), carried out by Opinion Research Services (ORS), which means it is very likely it underestimates needs, and does not provide the robust evidence to inform preparation of the plan required by Planning policy for Traveller sites (PPfTS) para 7c), and that its pitch targets will not meet Travellers' likely accommodation needs, para 9.

4. We raised similar issues at earlier stages in the process. Our comments build on previous letters of 16 May 2016 to Ian Woodward of ORS to which we never received a reply, and of 21 November 2016 to Martin Grainger, which we understand fed into feedback from City Council officers to ORS about the draft GTANA. Copies of those letters are attached as Annexes 1 & 2.

5. Reflecting our concerns with the emerging GTAA, YTT carried out its own survey of a sample of local Gypsies and Travellers in May & June 2017. A copy of the July 2017 report is attached as Annexe 3.

6. Our principle concerns with ORS's approach and the findings of the GTAA include:
 - ORS's approach to stakeholder engagement, which focussed almost completely on public agencies, and very little, if at all, with Travellers themselves, see paras 8 & 9 of the 21 November letter to Martin Grainger. The approach does not meet the requirements of PPfTS paras 7a) and b);
 - The results are based on those households ORS were able to interview. Table 28 indicates they interviewed occupants of 51 out of 72 pitches (71%) The occupants of the other 21 households are treated as 'unknowns'.
 - An assessment which does not make an allowance for need from nearly a third of pitches must be wrong. This element of ORS's methodology is distinctive to them. Other consultants project need from those they are unable to interview based on secondary data.
 - Those excluded from the survey are likely to be much larger than just from the pitches where they could not complete interviews.
 - Reflecting York's substantial housed Traveller community, there is likely to be significantly greater need for pitches from Gypsies in bricks & mortar housing than from the three households ORS interviewed. ORS's 2013 GTAA identified a need for 12 pitches from housed Travellers. Our survey, Annex 3, interviewed 11 occupants of housing, 6 of whom indicated they were overcrowded, and 9 of whom indicated they would move to a pitch if they had the opportunity. This will not be all the potential needs from households in bricks and mortar, but it confirms that the households interviewed by ORS are a small part of a much larger group;
 - There may also be need from substantially nomadic Travellers, Travellers who may want to move into the area, and from Travellers occupying non-Gypsy caravan sites;
 - Figure 17 anticipates a supply of three pitches from three vacancies on sites. Para 6.27 explains that this reflected interview responses, with one household seeking to move to a local authority site elsewhere, and two to bricks and mortar accommodation elsewhere. These are aspirations, they may be acted on or not, and given the huge pressures on local authority stock, it is unlikely they can be met.
 - There are inconsistencies between the main findings and Appendix B. Figure 4 suggests that 16% of pitches are occupied by 2 families, but in Figures 17 & 19 no pitches are needed to address overcrowding/doubling up. YTT's survey found that 6 out of the 11 households interviewed in housing and 14 of the 22 on sites indicated they were overcrowded.
 - Figures 17 & 19 indicate that 9 pitches would be needed because of new household formation to 2032, which looks very low relative to findings of Appendix B and the YTT survey. Figure 6 of Appendix B found 11 households, where children would need pitches of their own in the next 5 years.
 - The strongest single theme that came out of YTT's survey, Annex 3 para 3.9 was concern about future accommodation needs. All 22 respondents on

council sites, and 10 out of 11 in bricks and mortar, responded 'yes' to the question, 'Will you or your family need more accommodation in the future, for example because of a son or daughter getting married?' When asked why, nearly everybody mentioned an interconnected group of issues around existing overcrowding, families growing, and anticipating their children and teenagers getting married and having families, and needing their own accommodation. These findings are hard to reconcile with ORS's figures.

7. As well as doubts about the scale of need and supply, we have profound doubts about whether ORS's approach is sound in determining whether households meet the revised definition of Gypsy and Traveller for planning purposes at Annex 1 to Planning policy for traveller sites (PPfTS), August 2015. Effectively this part of the survey is a black box where we are asked to trust ORS's expertise.
8. ORS attempt to make the judgement based on the questions at Section F of their questionnaire. They have changed the crucial Question F3. It was *What was the main reason for travelling?*, with the interviewer instructed to cross one box only. Only households which answered 'for work', would meet the definition.¹ In the final version of the GTAA, F3 now asks *What are the main **reasons** for travelling?* We understand that most of the interviews were carried out **before** the change in definition. The revised question will increase the numbers meeting the definition, which means the GTAA is very likely to be an underestimate.
9. The revised definition of Gypsies and Travellers has made producing accurate assessments more difficult. The suspicion with which non-Gypsies visiting a site will be greeted means people will be guarded in the information they provide, and this is even more the case with regard to information about employment. Gypsies are private about how they earn money. Reflecting how families function, with the men away seeking work, researchers visiting a site will mainly interview the women who may not be fully informed or willing to share how their husbands and sons work.
10. The lack of trust by interviewees, and ORS's misunderstanding of the definition may be two reasons for the striking difference between the very low proportion of Gypsy households that ORS find meet the definition (they suggest typically 10%), and the much higher proportions found by Inspectors in appeals. In our planning adviser's work, he has been responsible for 8 appeals involving Traveller status with decisions post August 2015. In 7, involving 18 households, or 95% of the total, the appellants were found to have Gypsy status, and only in regard to one appeal relating to a single individual was Gypsy status not found. While the households who submit appeals are not the same as all Gypsy households, nonetheless the contrast between 10 and 95% is striking.

¹ ORS's approach is based on their reading of the case law. Discounting any travelling apart from for work is not consistent with one of the lead cases in this area, **Maidstone BC v Secretary of State for the Environment and Dunn (2006)**, which ORS reference at para 2.11.

Q.6(1)

Changes to ensure Paras 5.37 – 5.39 and Table 5.3 can be made sound

11. The 2017 GTAA is flawed and currently does not provide a robust base for the plan. However, we would not advocate investing the time and resources to carry out a further assessment. As with previous assessments, it establishes there is a substantial need in York. The following paragraphs indicate how its outputs can be reinterpreted to provide a good enough evidence base. The more pressing issue is not defining exactly how much need there is – Traveller assessments always involve an element of uncertainty – but addressing the inadequacy of the Council’s approach to delivery that we identify in our response to Policy H5.
12. We propose a number of changes to the figures in Table 5.3
13. Firstly, for the reasons we outline at paragraph 6, bullet 7 above, not including the supply of 3 pitches from Figure 17 of the GTAA. That would mean Households that meet the planning definition would be 6, rather than 3.
14. Secondly, to adopt the approach of the Cotswold Local Plan Inspector. While it doesn’t go far enough, it provides a helpful way forward to using ORS’s findings to develop a more credible assessment, and one which reflects the challenges in determining whether households meet the definition.
15. The Cotswold Plan was based on the Gloucestershire GTAA 2017, which was developed by ORS based on exactly the same methodology as used in York. In Cotswold, the Gloucestershire GTAA identified a need for 3 pitches for Gypsies and Travellers who met the definition, and for a further 13 pitches from Travellers who did not. There were a further 24 pitches, where they did not complete interviews. Based on typical household formation rates, they would generate a need for accommodation for a further 11 households. The Inspector’s conclusions are in his note at Annex 4. Action Point AP11.1 was:
‘Modify paragraphs 8.7.3 to 8.7.8 to refer to the latest evidence about the need for gypsy and traveller accommodation. The modified text should refer to that evidence indicating that there is a need for additional pitches for between 3 and 14 households that meet the national definition of “gypsies and travellers” and that there are also likely to be a further 13-24 additional households that will need appropriate accommodation who do not meet that definition.’
16. The equivalent figures from York are 3 pitches for Gypsies and Travellers who meet the definition (but 6 based on our approach in para 13 above), 33 pitches for Travellers who did not meet the definition (table, page 60), and 12 from Gypsies and Travellers whose status is unknown (Figure 19). If the Cotswold Inspector’s approach is applied to the York ORS figures, it suggests a need for between 6 and 18 pitches for households who meet the definition, and ‘appropriate accommodation’ for between 33 and 45 households who do not meet the definition, a total need of accommodation for 51 households.

17. Thirdly in York with its large housed Traveller population, an allowance should be made for need from the housed Travellers ORS did not interview. We suggest adding in the 12 households from ORS's 2013 GTAA, (minus the two already factored into Figure 17), a net need for an additional 10 households.² We do not know whether these people will meet the definition, so following the approach of the Cotswold Inspector, their needs should be included in both GTAA and SHMA columns.
18. With these adjustments the Gypsy and Traveller part of Table 5.3 should be redrafted on the following lines.

Table 5.3: Accommodation Needs of York's Traveller Community 2016 – 2032 (minimum)

Households needing appropriate accommodation	Total	GTAA (meeting 2015 definition)	SHMA (not meeting 2015 definition)
	61	6-28	33-55

19. This scale of need is consistent with the need for 66 pitches 2014-2030 in the 2014 GTAA.
20. We also have concerns that the definition of Gypsy and Traveller in para 5.37 is not summarised accurately, and that the reference to analysing travel patterns is not correct. We suggest that paras 5.37 – 5.39 are redrafted on the following lines.
- 5.37 Planning Policy for Traveller Sites (2015) introduced a revised definition for Travellers, which states that **means that households whose travelling is not at least in part that do not travel for work purposes fall outside the definition. People can stop travelling on a temporary basis for reasons related to health, education and old age, but not stop travelling permanently.** In light of the revised definition, the Council commissioned consultants to undertake an update of the Gypsy, Traveller, and Showpeople Accommodation Assessment completed in 2013. As part of this update, Gypsy, Traveller and Showpeople households completed a revised survey which could be used to analyse their travel patterns and to conclude whether or not they fall into the revised definition of Travellers.
- 5.38 Table 5.3 overleaf is **adapted taken** from the City of York Gypsy and Travellers Accommodation Assessment Update (2017) and summarises the number of households in York which do/do not meet the definition. **There are significant methodological challenges in assessing Gypsy and Traveller accommodation needs and the 2015 definition has added to the challenges. The assessment may prove an underestimate because of such factors as the need for accommodation from housed Travellers, overcrowding, and the difficulty in establishing whether**

² We don't understand why the 6 households in Figure 16 only results in need for accommodation for 2 households in Figure 17.

households meet the definition. The Council will keep the position on need and the supply of pitches under review.

- 5.39 In accordance with Government guidance set out in the NPPF (2012) and Planning Policy for Traveller Sites (2015), the Council is required to identify a supply of specific, deliverable Gypsy, Traveller and Travelling Showpeople sites sufficient to provide five years' worth of sites against their locally set targets to meet accommodation needs of these groups who meet the revised definition in York. **It is also required to identify a supply of sites for Gypsies and Travellers who do not come within the 2015 definition, but who require appropriate accommodation, that is pitches for caravans and separate washroom facilities, or similar.**

Annexes

1. Letter to ORS 160516
2. Letter to Martin Grainger CYC 21116
3. YTT Traveller Survey July 2016
4. Cotswold Local Plan Actions Week 3

York Travellers Trust
Comments on the City of York Council Local Plan
Regulation 19 Consultation, February 2018

Policy H5, Gypsies and Travellers

Q.4 (3)

Why Policy H5 is not legally compliant

1. Race, which includes Romany Gypsy and Irish Traveller ethnicity, is one of the Protected Characteristics under the 2010 Equality Act. On the basis that it does not provide a credible approach to ensuring the provision of appropriate accommodation to meet the needs of York's significant and disadvantaged Gypsy and Traveller Community, it is difficult to see how a decision to adopt the York Local Plan on the basis of the current draft would be compatible with the Public Sector Equality Duty under s.149 of the Act, which requires public to have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

2. It is also likely to be indirectly discriminatory contrary to s.19 of the 2010 Equality Act, that is the Council would be applying to the Gypsy and Traveller community a *'provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic'*.

Q.5 (3)

Why Policy H5, Meeting Future Need fails the soundness tests

3. As currently drafted, the policy is likely to fail the four soundness tests. At the same time we welcome the fact that the Council has acknowledged that appropriate accommodation is needed both for Gypsies and Travellers who meet the Planning policy for traveller sites (PPfTS) 2015 definition, and those who do not meet the definition. This is a crucial step.

4. In their representations on the Reg 18 Plan, a number of parties have questioned why the plan needs to make provision for Gypsies and Travellers who do not meet the definition. It is important to understand why this is. The Inspector's Report into the Hull Local Plan examination, October 2017 (130-138) concluded that for the plan

to be sound, it needed to make provision for both types of Traveller. The Main Modifications (MM5.34-5.43) reflect this finding.¹ The same Inspector has come to similar conclusions in regard to the Cotswold Local Plan.

5. S.8 of the Housing Act 1985, and the Draft guidance to local housing authorities on the periodical review of housing need, Caravans and Houseboats, require the Council to assess needs for caravans and houseboat accommodation. While not all those requiring caravan accommodation will be Gypsies and Travellers, all of those the GTAA concluded did not meet the definition will require culturally appropriate accommodation.
6. Caravan parks for Gypsies and Travellers will not come forward through general housing proposals, and require specific allocation. Residential land supply is restricted, land values high, residential caravan parks will be lower density and much lower value than other residential development, and sites for Gypsies and Travellers perceived negatively by developers. The requirement of The National Planning Policy Framework (NPPF) para 50 '*to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities*' applies to Gypsies and Travellers who do not meet the 2015 definition, in the same way as to the other sections of the community listed in the first bullet of para 50. Not to make such provision is likely to be discriminatory and unlawful.
7. The evidence base needs to provide estimates of those who meet the definition and of Gypsies and Travellers who fall outside it. That does not require separate allocations. We advocate putting in place a supply of sites, which could be developed for both types of Travellers.² There are a number of reasons for this. The current definition was introduced very recently, and is subject to legal challenge. It is difficult to believe it is not discriminatory, and contrary to Articles 8 and 14 of the Human Rights Act, and there is a significant likelihood it will be changed during the life-time of the plan.
8. The types of locations which would work well for both types of Travellers (and for their housed neighbours) are the same, that is small to medium sized sites, with access to good local services, with adequate road access, not at risk of flooding, and without impacting strongly on the landscape or open countryside. While it can be argued that sites in the countryside may be more appropriate for families that meet the definition, such a distinction is less relevant in the York situation, where much of the provision will need to be within the urban area, or on the urban fringe.
9. In our representations on the GTAA, we have questioned the consultants' ability to differentiate between Travellers who meet and do not meet the definition through their survey. Many extended families will contain some households who meet the

¹ Both documents are at http://hullcc-consult.limehouse.co.uk/portal/localplan/lpsub_1

² For an example of a local authority following such an approach see para 4.2.24 of the recently submitted Regulation 19 Guildford Local Plan, <http://www.guildford.gov.uk/newlocalplan/proposedsubmission>.

definition, and others who do not, and to divide them could engage their Article 8 rights, and some households will meet the definition at one time in their life-cycle and not at another.

10. The plan's approach to making provision does not address the challenges of delivering the scale of pitches required. The Gypsy community has been part of the social structure of York for centuries. After years of neglect, the plan offers an opportunity to think creatively and strategically about the needs of the community.
11. Nationally, there is a lack of leadership and innovation in delivering new sites (apart from by Gypsy families themselves) and the plan gives the City Council the opportunity to establish York as a market leader and innovator in developing fit for purpose delivery and management models. This is an example of how York can translate its commitments as the UK's first Human rights city into action through the plan.
12. The plan needs to acknowledge that York is exceptional in the high proportion of existing provision on public sites (and in housing) and, if the City is to follow the national pattern, that more of the provision will be on Gypsy owned and provided sites on the urban fringe, or in the countryside. As we stress in our representations on the Green Belt this land must not be included in the Green Belt.
13. While we support the principle of delivering some of the provision through requirements from larger development sites, it should be acknowledged that this type of approach will be resisted by many developers, and that most attempts to make such approaches work elsewhere have not been successful.
14. York is proposing that provision should be achieved from the 15 strategic sites due to deliver at least 100 dwellings, (and possibly the 4 non-strategic largest housing sites - the plan's wording is ambiguous about whether Policy H5 applies to these or not). This represents a formidable negotiating challenge and needs thinking through practically and in much more detail. Achieving contributions from developers would be more realistic if the plan process identified a supply of sites where the scheme's Traveller provision would be located. This might involve specific sites allocated in the Plan, and / or sites within developers' landholding near their development site. Such sites should not be included in the Green Belt.
15. It is not clear who would be responsible for delivery. It would be facilitated by establishing a delivery agency that can hold land and transfer it to social housing providers etc, or to individual Traveller families for them to develop themselves.
16. Another weakness of Policy H5 is that it fails to consider what types of provision and what types of sites are needed. It appears to imply it makes no difference where they are located.
17. Sites that do not reflect Travellers' needs and priorities are unlikely to be successful. Both for that reason, and to ensure that new provision would actually meet the

community's needs, our survey of the local Gypsy & Traveller community, Annex 3, focussed on what the community in York actually wants, paras 3.9 – 3.17.

Respondents were asked to rate five future accommodation options: A council flat or house in York; an extension to an existing Council site, such as Clifton; a new Council site within the existing town; a new Council site a couple of miles outside the existing town; and a small private site where you could buy a pitch a couple of miles outside the existing town. Much the favourite was an extension to an existing site, followed by a new Council site within the existing town. There was then similar levels of support for the other three options, a new site a couple of miles outside town, buying a pitch on a small private site, and a Council house or flat.

18. Paras 4.6 – 4.8 in the conclusion section of the study gave a number of clear messages about the type of provision which would meet the local Gypsy community needs:

4.6 *Based on the survey:*

- *extensions to existing sites should be the first preference for new provision. Specifically, this should include an extension on to the vacant Council owned land adjacent to Clifton, which has the potential for a further 6-8 pitches;*
- *where potential for extensions may not exist, as for instance adjoining James Street, we would support a search for nearby land which could provide a satellite to the existing site;*
- *It is unlikely that extensions & satellites will be able to meet all needs, which points to the need for new sites. The strong emphasis on remaining close to the existing community suggests the priority should be for sites within or very close to the urban area, either through redevelopment, such as on the MoD sites, or on green field sites on the edge of the built-up area, or close to it. This then has potential implications for the definition of York's inner green belt boundary.*

4.7 *In terms of tenure:*

- *The implication of the small numbers interested in and the reservations about buying private pitches suggests the principle provision will need to be through rented, socially managed sites;*
- *There is some cautious interest in the opportunity to buy a pitch on a small private site. Based on views from the survey and experience elsewhere, sites with a small number of pitches, perhaps 3 to 6 pitches that could be bought by related members of an extended family, are the most likely to be popular and successful;*
- *There are few, if any, examples of such an approach across the country, and rather than assuming such an approach could meet a significant proportion of needs, it would be better to start with a pilot, and if it successful, extend it subsequently.*

4.8 *One clear implication from the survey is that the needs of the community could be better met by a more flexible approach to the accommodation to be provided. This might involve:*

- *providing fully disabled accessible bungalows, which could be attractive particularly to older Gypsies with mobility limitations, freeing up existing pitches for families in need;*
- *the comment about there being nowhere with bricks and mortar accommodation to keep a caravan chimes with the situation our planning adviser has met a number of times, where some members of a family are happy to live inside, while others, typically the men, are insistent on sleeping in a caravan. This suggests a possible*

model, which provided a bungalow or dormer bungalow providing living accommodation, and limited bedroom accommodation, plus space for 1 or 2 touring caravans outside;

- *some larger pitches, which the biggest families could relocate to, freeing up existing pitches.*

Again, we can see merit in a pilot based on such elements. The extension to Clifton might be a suitable candidate for developing these ideas, which, if successful, could be extended to further sites.

19. This suggests there should be two main types of sites. Firstly, small sites (of perhaps 2-5 pitches) in urban fringe or village fringe locations, which would be developed by Travellers themselves. These are likely to be achieved either by developers making the land available, or by using land already in the ownership of Traveller families. This type of site would begin to address the shortage of private sites in the York area. Secondly, and the majority of provision, which would be for rented sites located within or near to the existing built-up area with management potentially by the City Council, a housing association or by a Gypsy organisation.
20. A number of factors come together to suggest the plan is required to identify a set of sites (or broad locations for growth):
 - the policy requirements of PPfTS paras 10a) and b), and of NPPF para 50;
 - the need for the reasons we outline at para 4 above to make provision for Gypsies & Travellers who do not meet the definition;
 - the definition through the plan of the inner Green Belt boundary. As we stress in our representations on Policy SS2, it is essential that the Green Belt boundary is drawn so it makes allowance for Gypsy & Traveller needs for the plan period, and for a significant period beyond;
 - Having a supply of sites specifically identified to which commuted sum payments can be directed will facilitate negotiation of contributions from major development sites.

Q.6(1)

Changes to ensure Policy H5 can be made sound

21. Policy H5 and the supporting text needs to be redrafted and expanded:
 - The revised text should identify a supply of specific, deliverable sites or broad locations for growth as required by PPfTS para 10 a) and b);
 - It should specify that those sites and broad locations will be excluded from the Green Belt, and should be protected for Traveller needs;
 - The sites should be suitable for both Gypsies that meet the definition and who fall outside it;
 - The policy should outline the delivery mechanisms to enable the delivery of the sites, and should indicate more precisely how major housing developments will be required to support this process.

22. These changes require further work, including revisiting site work from earlier in the plan process. We have written to the Council asking it to lead this work, which we see as falling into two strands.
23. Firstly, identifying the supply of sites. Among the elements would be:
- Identifying land owned by the Council or other public agencies, which could be developed for Travellers' needs;
 - Liaising with major developers / land owners etc with a view to identifying parcels in their land-holding perhaps a little away from their main development which could be developed for Gypsy and Traveller needs;
 - A specific focus on allocations on the fringe of the urban area, such as, but not limited to East of Metcalfe Lane (ST7) and North of Monks Cross (ST8) which could be increased in size to include a Traveller site;
 - A call for sites focussed on the Gypsy & Traveller community. Gypsy families sometimes own grazing land, which they may be willing to make available for pitches;
 - Revisiting site options considered earlier in the process. This should include the site adjacent to the A1237 / A64 Askham Bryan (site ref 253 in the Further Sites Consultation, June 2014); land at Knapton Moor, Wetherby Road (site 772 in the Further Sites Consultation) plus land to its west; and Land to the south of Designer Outlet (Site 800).
 - We specifically propose that the 0.32 hectare area of vacant Council owned land adjoining the Clifton site should be allocated for a 6-8 pitch extension.
24. Secondly, a study of what is required and how it will be achieved. This would include:
- Consideration of the type of sites needed. Our work suggests there should be two main types of sites. Firstly, small sites (of perhaps 2-5 pitches) in urban fringe or village fringe locations, which would be developed by Travellers themselves. These are likely to be achieved either by developers making the land available, or by using land already in the ownership of Traveller families. This type of site would begin to address the shortage of private sites in York. Secondly, and the majority of provision, would be for rented sites located within or near to the existing built-up area;
 - Identification of a delivery partner who could hold land and then transfer it to families acquiring sites and to the managing agents of any rented sites;
 - Identification of the delivery process.
25. This work should be carried out in consultation with the Traveller community and ourselves, and with the major developers. We question how the Plan can be found sound and comply with the Equality Act without it.

York Travellers Trust
Comments on the City of York Council Local Plan
Regulation 19 Consultation, February 2018

Policy SS2, The role of York's Green Belt

Q.4 (3)

Why SS2 is not legally compliant

1. Race, which includes Romany Gypsy and Irish Traveller ethnicity, is one of the Protected Characteristics under the 2010 Equality Act. On the basis that the proposed Green Belt boundary does not allow for any of the development needs of Gypsies & Travellers, it is difficult to see how a decision to adopt the York Local Plan on the basis of the current draft would be compatible with the Public Sector Equality Duty under s.149 of the Act, which requires public authorities, which we understand to include Planning Inspectors to have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2. It is also likely to be indirectly discriminatory contrary to s.19 of the 2010 Equality Act, that is the Council would be applying to the Gypsy and Traveller community a *'provision, criterion or practice which is discriminatory in relation to a relevant protected characteristic'*.

Q.5 (3)

Why SS2 fails the soundness tests

1. We question the tightness of the proposed inner green belt boundary, and the decision not to identify any safeguarded land. We understand that Counsel's advice to the Council is that 20 years is the minimum period that can be regarded as providing acceptable capacity.
2. Given its controversial nature and the record of other local plan examinations, the Local Plan is unlikely to be adopted before 2020, meaning that at adoption the plan will only provide development capacity for 18 years.
3. There is much in the National Planning Policy Framework (NPPF) that suggests a significantly longer period is required:

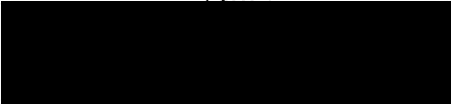
- At that time,' [when defining them] 'authorities should consider the Green Belt boundaries having regard to their intended permanence in the longer term, so that they should be capable of enduring beyond the plan period', paragraph 83;
 - 'When drawing up ...Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development', 84;¹
 - 'When defining boundaries, local planning authorities should not include land, which it is unnecessary to keep open', 85, 2nd bullet;
 - 'where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs **stretching well beyond the plan period** (our emphasis)', 85, 3rd bullet;
 - 'satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period, 85 5th bullet'.
4. As far as we are aware, the area excluded from the Green Belt for future development needs makes no allowance for Gypsy and Traveller residential needs.
 5. In our representations on Policy H5, we propose that the plan needs to identify two main types of sites, small sites (of perhaps 2-5 pitches) in urban fringe or village fringe locations, which would be developed by Travellers themselves, and the majority of provision, which would be for public, rented sites which would need to be located within or near to the existing built-up area. Both of these are likely to require land to be excluded from the Green Belt.
 6. In our representations on Policy H5 we make the related point that if the City is to follow the national pattern, in the future more of the provision will be on Gypsy owned and provided sites on the urban fringe, or in the countryside.
 7. If Gypsy & Traveller needs are to be met, it is essential that the land excluded from the Green Belt should allow for these needs by identifying a supply of specific, deliverable sites, and broad locations for growth going a substantial number of years into the future. Traveller sites are not appropriate development in Green Belt, and not planning for such needs now is likely to lead to a combination of a high level of conflict over unauthorised development and planning applications and to frustrating the development requirements of the (acutely disadvantaged) Traveller community.

¹ Our planning adviser has personal experience of planning a historic city with a strong economy and tight inner green belt boundary, which, when it was originally defined, significantly underestimated future growth pressures. The consequence has been high levels of conflict over development and unsustainable patterns of development, with much of the sub-region's housing located beyond the outer green belt boundary.

Q.6(1)

Changes to ensure Policy H5 can be made sound

8. We cannot see how an 18 year land supply, and not including any safeguarded land meets the policy requirements of the NPPF we quote above at Para 3. It will be for the examination to define what longer period would be required.
9. At paras 19-23 of our representations on Policy H5 we make the case that the plan needs to identify a supply of specific, deliverable sites or broad locations for growth to meet the needs for accommodation for Gypsies and Travellers, both Travellers who meet and those who do not meet the August 2015 definition. Those sites are by definition inappropriate in the Green Belt, and should not be included within the areas included in the Green Belt. Those sites and locations should be protected for Gypsy and Traveller needs, and not developed for other purposes.
10. On the basis that in York the Local Plan is defining the inner Green Belt boundary and should not include in the Green Belt land that is required for those longer term needs, the plan must be based on an assessment of longer term Gypsy and Traveller needs going beyond the plan period - of a similar length to the period for which safeguarded land is being provided.



Mike Slater
Head of Planning
City of York Council
West Offices, Station Rise,
York, YO1 6GA

City of York Council
03 APR 2018
RECEIVED

23 March 2018

Dear Mr Slater,

City of York Local Plan, Gypsies and Travellers – Need for further work to ensure the Plan can be found sound

I write following our helpful meeting with Rebecca Harrison on 16 March. We have appreciated our constructive dialogues with York Planners over the development phase of the Local Plan.

Gypsies and Travellers are York's longest established and probably most disadvantaged ethnic minority community. The serious shortage of accommodation is one of the key aspects of that disadvantage. It will be difficult to address such issues as low educational achievement and poor health without solving the accommodation crisis. There has been a lack of progress in addressing the crisis for many years, and we see the Local Plan as a once in a generation opportunity for York to re-think its relationship with its Gypsy & Traveller citizens, and to move forward and provide additional, and more adequate accommodation.

We welcome the fact the Plan recognises that accommodation is required both for Gypsies and Travellers who meet the revised definition for planning purposes and those who fall outside it. This is a significant step forward.

However, we have significant reservations about whether the Draft Plan is compliant with Equality legislation and whether the Gypsy and Traveller policies are sound. Our concerns are explained in greater detail in the representations we have submitted on the Draft Plan. They fall into three main categories.

Firstly, in common with Gypsy and Traveller groups across the country, we have major concerns about the soundness of ORS' work. We believe that the overall level of need is higher than the ORS assessment suggests. Our own assessment suggests a need for accommodation for at least 61 households, compared with the 47 in Table 5.3 of the Plan – much closer to the figure put forward by ORS in 2013. We have profound doubts about ORS's ability to distinguish between Gypsies and Travellers who meet the definition and those who fall outside it. We believe that the numbers who meet the definition will be significantly higher. We believe the plan





should reflect an understanding that it is difficult to be definitive about who meets the definition and who does not through the needs assessment.

Secondly, we object to the definition of the inner Green Belt boundary on the basis that the area excluded from the Green Belt does not allow for the land that will be required in future years for Gypsies and Travellers. This is discriminatory. It will set up a situation where it will be extremely difficult to meet Traveller needs, and where there is likely to be a high degree of conflict over any proposals that do come forward.

Thirdly, and our most profound concern, is that the Council's proposed approach to delivering the required accommodation has not been thought through and as it stands is not workable. There is no indication where the sites will be located. The Green Belt boundary has been defined without allowing for Gypsy & Traveller needs. Developers are more likely to offer land for Gypsy & Traveller sites outside their main sites, which may be in the Council's proposed Green Belt. It will be easier to negotiate contributions if there are identified sites where the funds can be directed. There is no consideration of where Travellers want to live and the types of site they want. There is no indication of how the negotiation process will work. There is no indication of who will be responsible for delivery.

We note that a number of the developers have said similar things in their representations.

As currently drafted, the policy is likely to fail the four soundness tests.

The Council needs to ensure the plan can be made sound. Further work is needed, and we are writing to ask the Council to initiate and lead it. We would be happy to contribute our knowledge and skills. We see the work as essentially falling into two strands.

Firstly, identifying the supply of sites. Among the elements of this work would be:

- Identifying land owned by the Council or other public agencies, which could be developed for Gypsy & Travellers' needs;
- Liaising with major developers / land owners etc with a view to identifying parcels in their land-holding perhaps a little away from their main development which could be developed for Gypsy & Traveller needs;
- A call for sites focussed on the Gypsy & Traveller community. Gypsy families sometimes own grazing land, which they may be willing to make available for pitches;
- Revisiting site options considered earlier in the process;
- We specifically propose that vacant Council owned land adjoining the Clifton site is allocated for a 6-8 pitch extension.

Secondly, a study of what is required and how it will be achieved. This would include:





- Consideration of the type of sites needed. Our work suggests there should be two main types of sites. Firstly, small sites (of perhaps 2-5 pitches) in urban fringe or village fringe locations, which would be developed by Gypsies & Travellers themselves. These are likely to be achieved either by developers making the land available, or by using land already in the ownership of Gypsy & Traveller families. This type of site would begin to address the shortage of private sites in York. Secondly, and the majority of provision, would be for rented sites located within or near to the existing built-up area;
- Identification of a delivery partner who could hold land and then transfer it to families acquiring sites and to the managing agents of any rented sites;
- Identification of the delivery process.

We have raised these ideas with the Planners over several years. We are pleased that some of our suggestions have been taken forward. We are disappointed, however, that the constructive arguments that we have put forward as to how the future accommodation needs of York's Gypsies & Travellers might be addressed and implemented have not been incorporated into the Local Plan. We question how the Plan can be found sound without carrying out the extra work. We will now be raising our concerns with the Equality & Human Rights Commission which has expressed an interest in developments in York.

We would welcome the opportunity for an early meeting to discuss the scope of the work outlined above, and how we might move forward on these issues.

[REDACTED]

Violet Cannon
Director, York Traveller Trust



Kindly send notice of receipt to the Clerk email



sent 20 March 2018



City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:
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21 MAR 2018

BY: _____

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	
First Name	JAMES	
Last Name	MARKMAN	
Organisation (where relevant)	NETHER POPPLETON PC	
Representing (if applicable)		
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

The details on the distributed leaflet are incorrect.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)**Positively prepared** **Justified** **Effective** **Consistent with national policy** **5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph
no.Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See attached page by page
details

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Changes indicated in
attached detailed summary of
information missing from policies

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on 01904 554145

Signature



Date

20 / 3 / 18.

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

Nether Poppleton Parish Council response to the Local Plan Pre Publication Draft Regulation 18 Consultation 2017

Overall the Parish of Nether Poppleton has many point of agreement and consistency with the presented Local Plan and the examined Poppleton Neighbourhood Plan. Where there is a greater need for clarity or consistence the following point aim to highlight this for the Planners and Policy makers within the City of York Council

A great deal of work has gone into the preparation of this latest version of the Local Plan which is not necessarily seen in this policy consultation. The Neighbourhood Plan Committee are fully aware of the Sustainability Appraisal, the Habitation Regulation Assessment and many other strategic documents that have taken many months to prepare. The Parish Councils of Upper and Nether Poppleton and the Neighbourhood Plan Committee hope that these additional comments will be taken in a positive light and acted upon in the follow up consultations.

Page ref	Policy Reference	Comment by Nether Poppleton Parish Council
P 11	1.48 Higher Education	What are the predicted numbers and how is the University planning to accommodate these numbers?
P11	1.49 Green Belt	<p>The Green Belt land has been established since 1950. The 2005 4th set of changes is the current Green Belt boundary. Recent applications for car wash, caravan park and Wyevale were all refused by the CYC Planning as being development within the Green Belt. The Neighbourhood Plan which is now a statutory document shows the settlement line and the Green Belt boundary line to be congruent and in conformity with the 2005 4th set of changes.</p> <p>The new draft Green Belt in the latest version of the Local Plan 2017 indicates an alteration to the boundary Green Belt line such that it no longer matches the settlement line of Poppleton to the rear of Station Road in particular.</p> <p>The examiner of the Neighbourhood Plan recorded that on the evidence given to him by the City of York Planners, the hedgerow and tree line at this boundary at the end of Station Road were clearly discernible and that the extended rear gardens of the remainder of Station Road (Upper Poppleton) lie within the Green Belt. Development of these areas should therefore be resisted.</p> <p>There has been no consultation with the Parish Council or any justification as to why the settlement/Green Belt line should be altered. We oppose any change to the Green Belt /settlement line.</p>

12	1.52 Strategically important aspects of York	No mention of the ancient snickets and snickleways which the Civic Trust and English Heritage regard as significant attractions.
12	1.54 Green Infrastructure	These are basically the essential flood plains for the River Ouse. They are a clear protection against catastrophic flooding in York City Centre but are not mentioned as such in the policy.
12	1.55 Biodiversity	It has been the experience of the Nether Poppleton Parish Council that the SINC designation is only a convenient way of the City delaying building on land till the price is right. We experienced the removal of all SINC's on York Business Park while developing the Neighbourhood Plan. It was too late to include them once large premises had already been built on them. The loss of habitat by removal of hedges that were a specific request from the City of York Planning department on developed SINC site has reduced significantly the habitat for birds, insects and small mammals. The increase in standing traffic is further causing health issues and removal of trees around Arnold Clarke development is noted by the City of York Planners but not acted upon under the statutes provided in planning legislation.
13	Education	All large housing developments proposed in the Local Plan ST1 and ST2 will have a major impact on the primary and secondary schools. Particularly Manor Academy which the Local Plan continues to wrongly name Manor School. It has been an Academy for the past 4 years. As such Manor Academy needs to expand to accommodate increased numbers of pupils over the next twenty years. No mention of funding or increasing school capacity is made in this Local Plan. Our experience and intelligence indicates that both primary and secondary schools in the parish areas are full to capacity and new extension or developments are required such as those suggested in Haxby Strategic Site. In Poppleton Parish primary aged children are currently having to attend Carr Junior School as there is no capacity for them within Ousebank Primary. Provision for expansion of Ousebank School is not considered in the Local Plan.
13	Expansion of the University of York	Most of the area surrounding the University of York is already at high levels of student accommodation with the new Poor Clare's convent expansion. Where will further student accommodation be built? How does this release accommodation within the city?

		Already significant numbers of offices have been converted into student accommodation in the centre of the City.
14	Further Education	No indication of further building or expansion of either York College or Askham Bryan College where large new premises have already been built.
15	1.15 Rail Transport 2.15 Bullet 4	There is repeated suggestion that railway halts will be built at Poppleton Park and Haxby yet it is not within the remit of the Local Plan or Local Authority to develop these as they are the sole responsibility of the Railway Authority.
15	Air Quality	Standing traffic in many areas of the city particularly at rush hour is a major issue for those with breathing difficulties. Building more houses that have to use the existing road network without provision of addition transport links will exacerbate the issues for those in poor health or with breathing difficulties. The Parish Council is particularly concerned about Boroughbridge Road, Low Poppleton Lane, Great North Way and Millfield Lane. Currently standing traffic attempting to gain access to the A 1237 is generating significant amounts of pollutants.
16	A timescale for the duration of the plan apart from 20 years	As the Local Plan has a reputation for not getting further than draft, the date line of the plan needs to be flexible but there are no time dates given on the plan.
16	Sustainable modes of transport	This needs to be specifically defined eg cars with low emission, electric cars. What is the City's plan for buses, taxis, vans and lorries? There is only limited provision for secure sites for bicycle parking. Cycle theft in the city is exceptionally high and nowhere is the plan is there provision to remedy this situation.
16	City centre	The loss of shopping from the city centre and the increasing number of vacated shops will deter visitor footfall. It is a disgrace to see so many empty shops and other premises in the centre of this historic city. Possible temporary art exhibition or displays from schools, and colleges would be better than empty premises. The Civic Trust has done a great job of bringing the historic value of sections of the city to everyone's notice. Why is there not a Civic Centre shop with maps and list of the work that has been achieved in the city centre, as well as the premises at Fairfax House?
17	2.5 No mention of Former Civil Service Grounds	This was taken out of Neighbourhood Plan for housing development by the examiner as it was clear from the information that the City of York had provided that the land was

		<p>within general extent of the Green Belt. It is a largely a green field site with no previous building apart from the club house less than 1% of the total area. The Wheatlands area on the opposite side of the road is clearly seen as draft Green Belt. The former Civil Service site is grade 2 Agricultural land not rough grazing as suggested. The former playing fields should be recommissioned as a resource for the large number of residents that have lost amenities and facilities by playing fields becoming housing estates. Eg. Former Manor School ground, the cricket ground on the former British Sugar Site, Lowfield School. The whole area would benefit from the rural setting being retained in this instance.</p>
19	2.13 Its primary aim will be to preserve and enhance the special character and setting of York	<p>We would like a sentence to be added to reflect the historic and special character of villages that have been on record for over 1000 years. Poppleton is such a settlement.</p>
19	2.14 protecting residents	<p>Avoid the use of the flood plain areas. Also note that in many parts of the outlying areas the water table is high and episodic flooding is recorded. Of special note is the area around the Park and Ride in Poppleton. Despite assurances that surface water could be accommodated, during recent and regular rainfall episodes the road from the Park and Ride on to Northminster Lane is flooded. This will only increase if there is further building in this area.</p>
20	2.15 Affordable Transport links	<p>Second bullet point:- the word "safe " should be inserted between strategic and cycling Final new bullet point should refer to increasing Park and Ride Schemes on the roads from Wigginton and Haxby to the City.</p>
21	viii. What is the focal point reference of the City Centre?	<p>The City Centre is used as a generic term but where exactly is the measurement of 6 miles taken from? The Green Belt boundary is in many cases not 6 miles from the City Centre. It is felt that this policy is not clear and should be reworded to reflect the true extent of the draft Green Belt.</p>
22	Policy DP2 Sustainable Development	<p>A clear articulation within the policy that, given the nature of the landscape surrounding York, every effort will be made to reduce the likelihood of homes flooding by ensuring that a proper survey is conducted on the evidence of the past 10 years where increased climate change is obviously causing problems with the models that have been used in the past. Germany Beck is still under construction despite being heavily flooded at Christmas time 2015</p>

23	Policy DP2 Fundamental shift in travel to work	How is this proposal to be followed up? Are all buses to become free or electric? That would be the sort of major shift required.
24	Policy DP 3 v Sustainable Communities	No mention made of facilities, services or amenities which are so vital to reducing the need for travel.
24	Policy DP 3 x Stop people using cars	How is this proposal to be implemented? Transport is slow in York, high volumes of traffic are generated by school run so why there are not more school buses specifically for the central area. The Change of the number 10 bus route meant that children who had planned to go to All Saints for the 6 th form now have to cross the busy junctions around the central York railway station to reach the school. The enrolment numbers to All Saints for 6 th form from Manor Academy have dropped dramatically as result of the bus route change which was not consulted on by the City Councillors or bus company.
24	Policy DP3 xii Reduce flooding	We suggested that restricting the number of drive ways and front gardens given over to non-porous surfaces should be considered within this policy.
26	So much in this plan relates to the city centre	The city centre is quite different from the centre of the city. The city centre is clearly defined on this page as per the NPPF. The Centre of the City of York however is defined nowhere yet calculations on distance for Green Belt are measured as 6 miles. This nebulous number means that areas within the Draft Green Belt cannot clearly be seen. This makes planning more difficult. Washed over Green Belt encourages builders buy land which they will not then be allowed to build on because of Green Belt restrictions.
31	3.15 clear boundaries on the ground	<ul style="list-style-type: none"> • What happens when the clear boundaries such as tree lines, hedgerows and drainage ditches are moved, removed or filled in as has happened in and around Poppleton. This continues to cause controversy. The examiner of Poppleton Neighbourhood Plan noted from the information given to him by the City Planners that ST2 sits within the Green Belt of York so could not be supported for building within the Neighbourhood Plan. This required further consultation yet now appears to be a strategic site within the City Local Plan. • Furthermore in the Poppleton Neighbourhood Plan which received a 91% Yes vote at referendum in August 2017 indicated that in Station Road hedgerows, mature trees and settlement limit lines were vanishing due to removal of ancient hedgerows. Some residents in the 1990's had bought green belt land from the

		<p>farmer to extend their gardens with the provision in law that they would not be able to have dwellings developed on them. The gradual removal of some hedgerows therefore shows the former line to be incomplete but traceable. This is being flaunted by certain homeowners and the clear boundaries need to be reinstated.</p> <p>Green Belt and Settlement Lines should follow the same path and remain as the 2005 4th set of changes lines as agreed.</p>
34	3.19 Policy SS4 York Central (ST5)	<ul style="list-style-type: none"> • This is a logical place for development but consideration has not been given to its potential for a transport hub where a reasonable bus /train station interchange might be possible thus reducing the total congestion around the present frontage of the railway station. • At present in York offices are being turned into flats, apartments and hotel extensions (note the Aviva building, the former City Offices, and at Clifton Moor the change of offices to apartments and flats). • If offices and light industry and trade centres are being considered here, then other out of town sites should be reduced. The office-based work has changed significantly in recent years due to the use of the internet and computers. Remote working from home is an alternative for many companies. • Shopping has changed its profile but this is not reflected in the Local Plan. • Out of town shopping centres have killed the high street in this and many other cities. • An extension of St Peter's Quarter would be most suitable for this area, it could act as a template for further development in the Teardrop site.
40	Policy SS 5 ii multi storey or undergrown car par/reduce vehicle traffic in the city Centre	<ul style="list-style-type: none"> • The logic of this totally incomprehensible. With one paragraph there is a statement about reducing the need for cars and a strong statement about park and ride schemes, sustainable transport and the like but here where there is an opportunity to provide valuable open space in the city away from pollution there is a further plan for a car park which would be likely to flood • Total contradiction in planning policy.

		<ul style="list-style-type: none"> • The area is ready for redevelopment by building offices or apartments and removal of the 1960 utilitarian landscape along the Foss. • Providing green space within the City will enhance the environment for residents and visitors.
41	<p>Policy SS 6 Former British Sugar Site Reference also HW2 New Community Facilities</p>	<ul style="list-style-type: none"> • Support for this is within the Poppleton Neighbourhood Plan. While only a limited number of houses will actually fall within Poppleton the impact on the resources, transport links, amenities and services will be great. • The total impact of two strategic sites should be seen in concert as this number of houses within such a relative close area over 20 years will totally change the ambience of the area. • 500 houses should be completed on this site before any consideration is given to opening of the ST 2 site. • Configuration of access from the site should be as York Business Park with a dual carriage split entrance onto the site through onto the Boroughbridge Road. • Due to the proximity of the 14th most dangerous unmanned level crossing in the country on Millfield Lane it seems most concerning that this should be considered as an entrance or exit from this site. • Additional traffic on this road is most noticeable since the City of York has decided not to repair the bollard. The road was designated by the traffic department as a bus access only route. For the past six months (while the bollard has been out of action) the increase in traffic along this road has increased by 50%. It is being used by cars, and lorries to avoid the heavily congested A1237 and A 59 new roundabout junction. • Any reinstatement of the bollard should only be considered after consultation with the residents of Upper and Nether Poppleton not just left to the officers of the council. • In the past the sugar beet lorries only used this at harvest season some three months of the year. If this is used permanently then the wear and tear on the crossing combined with the increased danger should be seriously considered by

		<p>the developers on both sites and the city of York planners in conjunction with Network Rail.</p> <ul style="list-style-type: none"> • Consideration should be given to an exit using a bridge across the Harrogate railway and linking through to the A19 or the A 1237 by new roads. • Large trees on the site and a considerable length of hedgerow should be preserved so that small mammals, birds and insects can continue to breed in this area. • Provision should be made for adequate replacement of playing fields at the former Manor School and the Former British Sugar Site cricket pitch • Consideration should be given to the close proximity of power lines which cross this site. • Concern about noise from the East Coast Railway line in close proximity to the site and how it might affect potential residents. • Local business which currently enjoy the ambience of a rural setting must be considered. • Currently parking occurs all along Millfield Lane despite the presence of yellow lines in some places this creates a hazard for the bus and other transport systems currently using this area. • Provision on the site should be made for the elderly as well as starter homes for young people. Bungalows and the potential for shelter housing provision is not mentioned within this policy. • The developers for this site have been in discussion with the City on all of the above issues and are well aware of the situation with the Neighbourhood Plan for Poppleton. • Garages must be large enough to accommodate modern vehicles. • Streets must not be blocked overnight by cars parked on the road or verges. There must be sufficient car parking within the curtilage of the buildings to allow for two car families. If a house has more than five bedrooms the car parking on site must be adjusted to accommodate 3 cars.
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<p>P43</p>	<p>Policy SS7 Civil Service Sports Ground and surrounding agricultural land. Reference also HW 2 New Community facilities Cross reference GB 4,SS1,GB1, GB2</p>	<ul style="list-style-type: none"> • It is noted that the presence of Grade 2 agricultural land is missing from the policy explanation. This is not rough pasture but grade 2 high quality agricultural land farmed continuously for the past 40 years and a former well-kept set of playing fields that have now been removed from public access. • The policy only stipulates mixed housing, however in policy SS18 there is a clear indication of the need for affordable housing addressing local need for smaller family homes and bungalows/sheltered housing. This should also be noted for this site. • P178 GB1 makes reference to building within the Green Belt. During the examination of the Neighbourhood Plan for Poppleton It was noted that the City of York has this area as general Green Belt and therefore any development had to be removed from the Neighbourhood Plan for Poppleton. • The examiner commented; <u>“The submitted plan has adopted a commendable approach towards boosting the supply of housing in the CYC area in general and the Plan area in particular... Nevertheless it is not within the remit of a NP to allocate land within the general extent of the Green Belt for residential purposes.”</u> He then concluded: <u>“For clarity to all parties I emphasise that I have made this recommendation (to remove Civil Service and Agricultural Land) simply on the basis of national policy and the process that follows coming forward as a housing allocation in the emerging Local Plan. The City Council will come to its own judgement on the other sites currently within the general extent of the Green Belt that are being promoted for residential development. Ultimately the Local Plan will be subject to its own examination based on the tests of soundness.”</u> • Key to the amalgamation of the two sections of land is the loss of Green Belt and high quality agricultural land. It is also the last significant break in the landscape between the urban area of York and the city limits and the boundary of the villages of Upper and Nether Poppleton.
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		<ul style="list-style-type: none">• It is ironic that Local Plan promotes healthy living with playing fields but is not keen to reinstate the obvious playing fields that were in place for the previous 40 years. Expansion of leisure and sporting facilities for Manor Academy should be considered for this site.• The Former Civil Service site development will increase the use of the local amenities within Poppleton and the City.• The site is adjacent to Manor Academy and in the Neighbourhood Plan a buffer zone has been established to ensure that there is privacy for the school should housing be developed.• There are significant and valuable trees, hedgerows and shrubs within and surrounding the site. The external boundary acts as a natural sound barrier and should any development be permitted this hedge should be retained as a priority.• There are significant and valuable trees, hedgerows and shrubs within and surrounding the site. The external boundary acts as a natural sound barrier and should any development be permitted this hedgerow should be retained as a priority.• Millfield Lane is not a suitable means of access or egress from the site as it requires crossing the 14th most dangerous unmanned level crossing in the country. In the past five years there have been two deaths on this line.• Increased traffic past the school and the school parking issues will increase the problems for the local bus service which at peak time is inhibited by this traffic issue.• The site represents part of a green corridor out of York and as such should only be used as a last resort for housing.• The clear priority of the Local Plan should be to develop in many areas of the city. This increase on an already major arterial road of potentially 3500 cars is not welcomed by the residents of the outlying village.• Commenting on the availability of the Park and Ride as an alternative to car usage is not accurate as the services do not run after 7pm.
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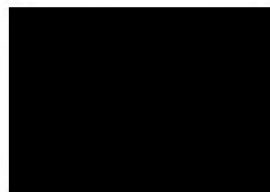
		<ul style="list-style-type: none"> • The Local Manor Academy is already at capacity and nowhere in the Local Plan in there provision to provide money for expansion of this school or to provide a primary school on the British Sugar Site or this site for younger children. • Journeys to school at present would increase local traffic as the nearest primary schools are over two miles away. • Air quality will be an issue since at present the standing traffic at peak times on the Boroughbridge Road trying to access the new A1227/A59 roundabout often tails back beyond the former Manor School site.
P49	Policy SS11 Land North of Haxby T 9	<ul style="list-style-type: none"> • Point v There is a clear articulation within the policy that the building of 735 houses will require the provision of a new primary school. This inconsistency in seeing the requirement here for a new primary school yet on the ST 1 and 2 sites which if developed will be a total of 1500 no mention within the policies of the development of a new primary or secondary school increase .
P51	Policy SS12 Land West of Wigginton Road	<ul style="list-style-type: none"> • Point vii There is clear articulation within the policy that traffic issues need to be considered in the development of this area in conjunction with other local suggested areas for development. No such policy is articulated with the development of the Sugar Beet and Civil Services grounds yet the traffic issues will be at least as complicated
P71	Policy SS23 Land at Northminster Business Park	<ul style="list-style-type: none"> • At the present time there is a successful well run Business Park with limited large vehicle access due to the nature of this country lane. Increasing the size of the business park to accommodate light industry and offices when other areas within the city limits providing these facilities are being converted into flats, apartments and demolished in some cases seems to indicate no further need for business premises. • The Neighbourhood Plan does not support further expansion of this Business Park into Draft Green Belt land. • The site sits within the Parish of Rufforth with Knapton and is commended in their neighbourhood plan provided that there is no access through Rufforth. The parishes of Poppleton would not support this as it would greatly affect the lives of those residents in the narrow Northfield lane in Poppleton Parish.

		<ul style="list-style-type: none">• The expansion in the 2014 plan was supported as it was minor and has been completed. This suggested new area more than doubles the existing business park and will have significant influence and disruption to the residential properties and other small businesses in this immediate vicinity.• Northfield Lane is inadequate for the current level of traffic and the exit onto A 59 continue to cause large tailbacks at peak time.• The proposed land for expansion sits within the general extent of the Green Belt as noted in the preface to the Local Plan. The examiner should therefore note the inconsistencies dealing with the general extent of the Green Belt within the Local Plan.• The proposed development on this land would take out of production valuable grade 1 and 2 high-yielding agricultural land.• There are valuable agricultural buildings already on this site. A provision for more building of a distinctly different character would change the rural appearance of this area and the historic character and setting of the settlements.• The increase in traffic on the north and west side of the city without increasing the dimension of the bypass will create further bottlenecks and air pollution situation from standing traffic at peak time and this will affect the local residents.• There is no specific number of jobs that this proposal will produce. Early suggestions from the developers were in the region of 850 to 3000 jobs. Given that there is no public transport to this area that will only increase the potential for traffic.• The Park and Ride might be considered as a solution to access but it is not a consideration to the reduction of traffic as the cars need to travel to the same area.• The Park and Ride has only limited capacity even with further expansion into the Green Belt so will not solve the traffic issue.• Full utilisation of business premises in other areas needs to be measured and considered. Currently conversion of offices and light business premises at Clifton
--	--	---

		<p>Moor into flats and apartments means that there is over capacity of office and small business premises already.</p> <ul style="list-style-type: none"> • The conclusion is therefore speculative planning of business premises does not necessarily bring business to an area. Traffic issues around Clifton Moor have definitely made it less attractive for all businesses. • Many Car dealerships have moved to brownfield sites at Poppleton. This only shifts traffic congestion It does not solve the issue. Cars are parked on Cycle paths, pavements, kerbs, grass verges and traffic islands. • Office space on the York Business Park is always being advertised together with vacate land. Surely this should be used to capacity in the first instance rather than building on draft Green Belt land. • Employment expansion should therefore only be considered after a detailed analysis of business premises usage in the area. • These important areas give magnificent views to the historic setting of York and are adjacent to ancient sites of historic and ecumenical importance. • Policy EC3 relates to Business and Industrial uses with Residential Areas and this area is a rural area with residents enjoying the benefits of the ambience and clean air of the countryside.
P75	Policy EC1 reference E16	<ul style="list-style-type: none"> • Poppleton Garden Centre. The general consensus from the Neighbourhood Plan for Poppleton was that the garden centre should remain as a valuable attribute to the area • The type of business being conducted was in complete sympathy with the surrounding area and it is well used not just as a garden centre but also as a meeting place, with restaurant facilities and other integrated shopping included. • There was no desire to change the use of this area to housing and it is pleasing that the Neighbourhood Plan and the Local Plan are in harmony over the use of this area. • Change of use for housing would be opposed.

P79	Policy EC 5 Rural Economy	<ul style="list-style-type: none"> • While the element of this policy are clearly to support farm diversification to allow farmers to continue to use the land for financial gain that would be generated through normal farming practise and animal husbandry, there are circumstance which need to be addressed about the removal of Green Belt status through farm diversification activities. • This policy need greater clarification. • There is inconsistence between this policy and EC 1, GB1
P80	Policy R 1 Retail Hierarchy	<ul style="list-style-type: none"> • No provision is made within either ST 1 or ST2 for retail space. • Given the emphasis on locality and reducing car and vehicle traffic neighbourhood parades provide an ideal opportunity to cut down on personal shopping trips. • Consideration should be in the plan for development of a shopping parade in ST1.
P102	Housing Policy H3	<ul style="list-style-type: none"> • Given the need in rural areas to protect the ambience of the area, the policy should stipulate that outside the urban areas houses that are more than two storeys high should be discouraged. This is because they overlook other lower properties and there reduce the level of privacy that can be expected. • Many houses have been converted from bungalows and there should be in the provision of new house building a requirement for bungalows to feature in the overall percentage of properties being developed. • Sheltered housing and assisting living accommodation should also feature in areas where more than 500 houses are being developed. This would help to build community and safety and security for young and elderly. • Space standards need to be set for car parking within the curtilage of new housing. While it is admirable that the Local Plan is trying to find solutions to the traffic issues worldwide car ownership is on the increase so there is no real premise for the belief that car ownership will be reduced in UK. Indeed most families in rural and suburban areas in York have not just one but two cars in many cases. • From the census details for the Poppleton region, this is the norm despite being well supplied with alternative transport alternatives.

		<ul style="list-style-type: none"> • Provision of bungalows on new sites will allow downsizing of locals from larger family houses which are no longer required but where people want to live where their social contacts, churches and clubs are close by.
P110	Policy H7 Student Housing	There is no mention in this policy of increase potential student accommodation at Askham Bryan College yet the college boast increasing number significantly in its business plan.
P114	Policy H9 Older Persons Housing	While the policy is good at suggesting the basis for measurement of housing needs for the elderly it has totally overlook this when permitting residential homes for the elderly. In general they are situation close to or within industrial or business parks which is totally inappropriate.
P129	Policy HW 6 Emergency Services	Why has ST 1 been left out of the list? There is no other alternative provision for emergency services on the west side of the City.
P 171	Policy GI 6 New Open Space	New open Space proposals for the Poppleton Area are supported only at the New Manor Academy Site and the site adjacent to the Poppleton Junior Tigers Soccer Field. There appears to be a typo in the Plan because the sites are not properly numbered in relation to Poppleton Neighbourhood Plan and the Local Plan Policies Map
P 172	Policy G17 Burial and Memorial Grounds	Support will be given to expansion of current burial and memorial grounds provided there is consultation with the local population of the villages or areas concerned.



18th March 2018

Planning Department,

York City Council.

York City Local Plan

We have spent many hours over the past months looking at, and considering, the information supplied by the Council of their thinking on the contents of a Local Plan for the City.

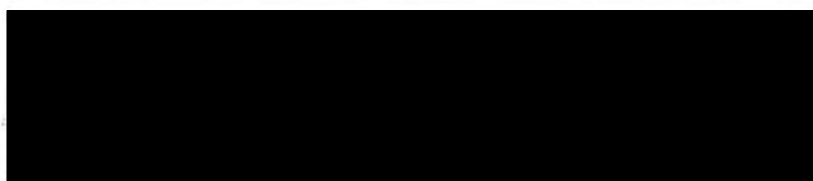
We are of the opinion that the proposed plan is appropriate for the City, and meets the Governments requirements, as contained in the various items of legislation.

Over the past few years there has been much consultation with the public, which has brought about a great many contributions and suggestions. We are satisfied that much of the public contribution has been considered, and where appropriate has been included in the Plan.

We have been impressed at how the details of the plan recognises both the opportunities and constraints of the City's infrastructure along with the transportation and public services issues.

Also the Plan does appear to minimise the effect on the Green Belt and the countryside that is close to the City. With Tourism a major contributor to the City and County employment, it is important that the development areas within the plan do not have an adverse effect on these locations. The plan manages to do this aspect, with sympathy and understanding whilst at the same time recognising the need for additional housing.

There has been much discussion regarding the amount of housing needed over the period of the plan and whilst much of the detail is not much more than guesswork, a figure of circa 900 house per year seems reasonable. Of course this could be changed in the light of experience gained as time progresses.



City of York Council
21 MAR 2018
RECEIVED

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:	
ID reference:	RECEIVED
	22 MAR 2018
BY:	_____

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	
First Name	JOHN	
Last Name	HAYES	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.

Part B - Your representation

(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

On the 2017 ~~SA~~ Draft (Pre Publication) Local Plan (City Centre Inset) ^{map}
With regard to open space. Clifford's Tower shows a section of Clifford's Tower Motte has been removed for the building of the "Visitor Centre". This planning decision is subject to a court of Appeal Hearing in April 2018. The land cannot be appropriated without advertising as Section 123(A) 1972 Local Government Act. This appropriation is not legal. The land is partly own by City of York Council.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective - the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

 Yes

 No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

 Positively prepared

 Justified

 Effective

 Consistent with national policy
5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

 Proposal Map.
Sept 2017.
Open Space.

Policy Ref.

 Regulation 18
Consultation
Document. 2017

Site Ref.

 City Centre
Cliffords Tower

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The Map Regulation 18 Consultation Document September 2017
 Cliffords Tower Motte is shown with a piece removed to
 accommodate the proposed English Heritage Visitor Centre.
 This appropriation of Open Space land is not legal and
 contravenes the 1972 Local Government Act. Section 123(2A)
 In addition the piece of land that is being removed is
 still subject to a Court of Appeal hearing on 11th or 12th April.
 The Land cannot be removed until that Appeal has
 been heard. The land that is being appropriated by
 removing it from the base of Clifford's Tower partly
 belongs to the City of York. The Executive have agreed
 to sell their portion of this parcel of Land. However
 Section 123 (2A) makes it clear that if open Space land is to
 be disposed of it has to be advertised for 14 days to allow
 for people to object to that disposal. This has not happened.
 Equally be taking this land away from the Cliffords Tower
 motte it pre-judges the outcome of the Appeal
 Court and the opportunity to object.

the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

To conform with legislation City of York Council must carry out a period of advertisement in the local press and consider the objections they receive for the disposal of this land.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

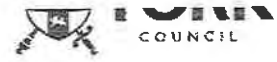
If you have selected No, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Clifford's Tower is one of the most loved local landmarks in York. If this land is to be disposed of it is important that it complies with legislation. The people of York should be allowed to object to the disposal of such a precious piece of our City Heritage. I would like to appeal to oral examination section of this Local Plan Process.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information



We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature

Date

16th March 2018.

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

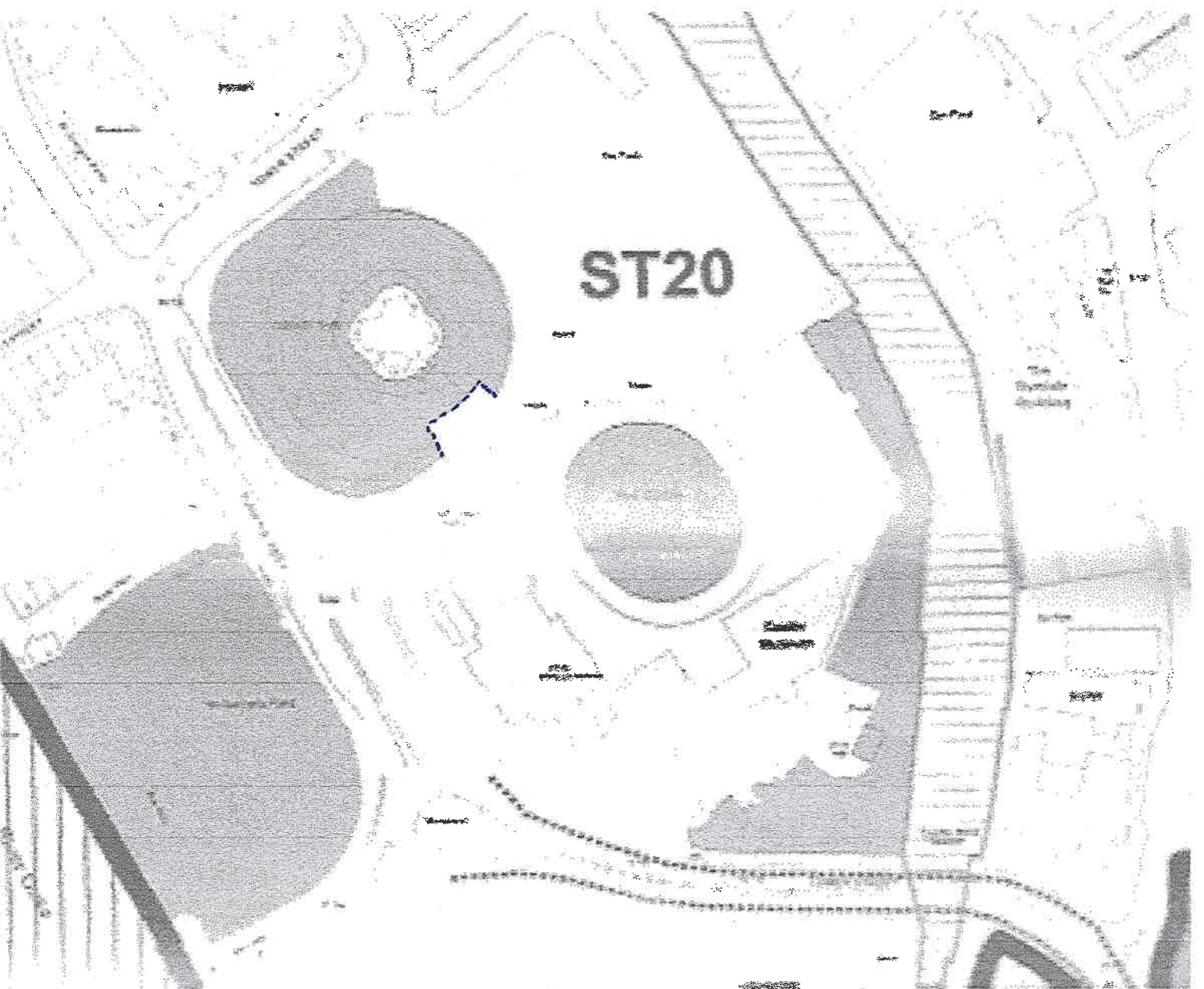
You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

City of York Council. (Local Plan 2017 Draft.)
Area shown shaded are areas of Open Space.



--- Indicate area that has been removed from
Cliffords Tower Motte.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 22 March 2018 13:42
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Categories: Green Category

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104556

Date submitted: 22/03/2018

Time submitted: 13:42:15

Thank you for submitting your Local Plan Publication Draft response form (ref: 104556, on 22/03/2018 at 13:42:15) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Miss

Forename: Claire

Surname: Bicknell

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town):

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

The green belt area between Geldof road and Jockey lane on New Lane is the last area of green land in south Huntington following the development of Vangard and stadium retail complex, and therefore shouldn't be included for consideration for being built on.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Green belt area on New lane, Huntington

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.



From: Daniel Sellers [REDACTED]
Sent: 22 March 2018 15:39
To: localplan@york.gov.uk
Subject: Dan Sellers 2018-03-22

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Green Category

Dear relevant department,

York Local Plan Consultation Response

I have read the Local Plan and feel that it can be considered legal & sound.

Regards,

Dan.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 22 March 2018 17:08
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Green Category

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104564

Date submitted: 22/03/2018

Time submitted: 17:07:38

Thank you for submitting your Local Plan Publication Draft response form (ref: 104564, on 22/03/2018 at 17:07:38) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: David

Surname: Hardcastle

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I believe this local plan does comply with a duty to cooperate, In supporting an environmental and sustainable model for the future of Yorks present and next generation of citizens, the reuse of brownfield sites thereby providing a regeneration whilst also allowing the greenbelt to remain in place ensures future generations can enjoy Yorks natural beauty, this to me follows the requisite duty to cooperate and is the only option which enforces a duty of care for Yorks existing and new residents to safeguard there future living in an environment which retains its beauty, maximises present resources and meets the housing demand

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

We have many brownfield sites, these need regeneration rather than going to waste, similarly if we are not careful the beautiful greenbelt would become eroded and as such take away Yorks natural beauty, this plan by building on brownfield ensures we regenerate as well as maintain a beautiful environment for future generations to come

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: 10.1 Greenbelt

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

No change, as I believe it is compliant and sound, regeneration of brownfield, retain greenbelt

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

N/A

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.



Consultation response
form
21 February – 4 April
2018

OFFICIAL
ID refer

City of York Local Plan
Publication Draft 2018

* NO PAGE NUMBERING
MAKES IT A VERY
DIFFICULT DOCUMENT TO USE!

* YOU CANNOT TYPE IN THE BOXES
ON A PC.
COULD BE BETTER!

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	James	
Last Name	Hollt	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight. Representations received after this time will not be considered duly made.

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

- Representations must be received by Wednesday 4 April 2018, up until midnight.
- Representations received after this time will not be considered duly made.

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

**Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.**

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

THE PLAN HAS BEEN PREPARED OVER 3 YEARS AND HAS HAD FULL CONSULTATION WITH THE COMMUNITY ON SEVERAL STAGES. I FEEL INFORMED AND INVOLVED IN THE FUTURE OF MY CITY.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Representations must be received by Wednesday 4 April 2018, up until midnight.

Representations received after this time will not be considered duly made.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no. Policy Ref. Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

YORK IS A HISTORIC CITY THAT HAS DEVELOPED ITS UNIQUE POSITION OVER DECADES OF SOUND AND FAR SIGHTED PLANNING. ITS SIZE NEEDS TO BE MANAGED WITH PROTECTION FOR ALL GREENBELT AREAS. FUTURE DEVELOPMENT SHOULD UTILISE BROWN FIELD SITES AND OUT OF TOWN DEVELOPMENTS.
YORK NEEDS PROTECTED DEVELOPMENT.

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I CONSIDER THE PLAN LEGALLY COMPLIANT.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No. I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

**Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.**

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145).

Signature Date

14/3/18

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

From: Stephen Otley [REDACTED]
Sent: 23 March 2018 11:31
To: localplan@york.gov.uk
Subject: Objection to Land of Northfield Poppleton to be designated Greenbelt
Attachments: 171025 Land East side of Northfield Lane.pdf; Consultation response Form.pdf; Location Plan 08.05.15.pdf; Policy SS2 Objection Statement Final..docx; 71919963_1 MARTIN CARTER Kings Chambers.pdf; Covering letter reps 2018 Inspector.pdf

Dear Sirs

Please see my attached documents for Land Of North field Lane Poppleton should not be designated in the Green Belt.

Kind regards

Stephen Otley
Director

CITY OF YORK COUNCIL LOCAL PLAN PRE-
PUBLICATION REGULATION 18 CONSULTATION

LAND EAST OF NORTHFIELD LANE
UPPER POPPLETON, YORK

PLANNING REPRESENTATION ON BEHALF OF
SBO LANDS LTD

October 2017



Chartered Town Planning Consultants

EXECUTIVE SUMMARY

This representation is for the exclusion from the York Green Belt of approximately 14.4 ha of land lying between Northfield Lane, the A59 and the A1237 York Ring Road

The site is neither open nor in the countryside, given the current level of development on the site and in surrounding areas. The proposed allocations in the Preferred Sites Document would result in further urbanisation, leaving a small proportion of the site undeveloped. The site performs none of the roles of the Green Belt as defined in the NPPF and there has been no proper justification in planning terms of including the site in the Green Belt.

The site is in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. In light of the current shortage of housing in York, it is considered that there is far higher potential for the site to contribute to the aims of the York Local Plan as a development site than as part of the Green Belt.

Including this site in the York Green Belt would result in an ambiguously defined Green Belt which would not have the characteristics of openness, permanence or defensibility. Moreover, such a designation would conflict with Green Belt policy as set out in the NPPF. The landowner therefore requests that the council does not include the land within the proposed Green Belt.

CONTENTS

- 1.0 INTRODUCTION
- 2.0 YORK LOCAL PLAN
- 3.0 PROPOSED SITE
- 4.0 DRAFT LOCAL PLAN
- 5.0 PROPOSED INCLUSION OF SITE IN DRAFT LOCAL PLAN
ALLOCATED SITES
- 6.0 CONCLUSION

APPENDICES

- 1. LOCATION PLAN
- 2. ECOLOGY REPORT

1.0 INTRODUCTION

- 1.1 This statement is provided as a representation on behalf of SBO Lands Ltd for the exclusion from the York Green Belt of approximately 14.4 ha of land lying between Northfield Lane, the A59 and the A1237 York Ring Road.
- 1.2 Section 2 briefly summarises the current position of the Local Plan preparation.
Section 3 describes the representation site.
Section 4 summarises planning policy relevant to this representation.
Section 5 sets out the case for excluding the site from the York Green Belt.
Section 6 provides a summary of the representation.

2.0 YORK LOCAL PLAN

- 2.1 The Council produced a Development Control Local Plan in 2005 but this has not been subject to Examination and is now out of date. The Council are preparing a new Local Plan. Consultation was undertaken on the preferred options draft of the plan in June 2013. A publication draft of the Plan was considered by the Council's Local Plan Working Group in September 2014 but in October 2014 work on the Draft Plan was halted.
- 2.2 The Council published a Local Plan Preferred Sites Consultation Document for Consultation in July-September 2016. The District Wide Plan included as Figure 5 in the Consultation Document suggested that the site will form part of the Green Belt. However, the Consultation Document identified the Poppleton Garden Centre as a housing allocation.
- 2.3 In September 2016 SBO Lands Ltd made representation to the Preferred Sites Consultation seeking the exclusion of this site from the Green Belt. The Council did not agree with that representation. In the Pre-Publication Draft Plan most of the site is included within the Green Belt. The Poppleton Garden Centre is proposed as an employment allocation.

3.0 THE SITE

- 3.1 The site is shown edged in red on the attached Location Plan (Appendix 1). Located on the southern edge of Upper Poppleton, the triangular-shaped site of 14.4 hectares is clearly defined by the A59 to the north, the A1237 Ring Road to the east, and Northfield Lane to the west. Northfield Business Park and the Poppleton Bar Park & Ride facility are located directly opposite the site on the other side of Northfield Lane. The site lies within 350m of Poppleton Train Station and 800m of the centre of Upper Poppleton.
- 3.2 There are several buildings and a variety of uses on the land at present. In the north eastern corner of the site is a cluster 4 detached dwellings while Wyevale Garden Centre occupies the north western part of the site. Two other businesses, Luigi's Restaurant and Minster Equine Veterinary Clinic lie to the south of the garden centre along Northfield Lane. A terrace of 6 houses is located on Northfield Lane, just south of the intersection with Harwood Road. Oakwood Business Park, which features office, industrial, warehouse and workshop units, occupies the southern end of the site. The interior of the site is mainly unused land. Apart from access points, the site is well-screened from the roads by high hedgerows and trees.
- 3.3 A two hectare wedge-shaped wooded area known as Wheatlands Woodland runs down the eastern edge of the site alongside the A1237 ring road. The privately owned and managed woodland was planted by the landowner in 1999 and is now characterised by low herbaceous vegetation cover. There is no public access through Wheatlands and it receives no public funding. The woodland, which is covered with native broadleaf deciduous trees. It resembles a commercial woodland, with trees evenly spaced and arranged in parallel rows.
- 3.4 However the woodland has limited conservation interest as confirmed in the Ecology Report at Appendix 2, and a separate representation is being made to have this draft designation removed from the woodland.
- 3.5 Land at the site of Wyevale Garden Centre (2.8ha) was allocated as Employment Land (Allocation E16) for light industrial/storage and distribution uses in the 2014 Publication Draft of the York Local Plan. In the July 2016 York Local Plan Preferred Sites

Consultation Document, the site was proposed for residential allocation for 93 dwellings at a density of 35dph.

- 3.6 In the current Draft Plan, the site is include as a proposed employment land allocation.
- 3.7 In 2015 a planning application was submitted for the development of a touring site for caravans and motorhomes on a 4ha on land located on the east side of Northfield Lane located between the Wyevale Garden Centre to the North Oakwood Business Centre to the south. The application was refused in February 2016.

4.0 GREEN BELT POLICY

- 4.1 The Regional Spatial Strategy for Yorkshire and the Humber (The Yorkshire and Humber Plan, May 2008) has been revoked with only two policies relating to retention of the Green Belt around the City of York still in force. Policy YH9(c) states that:

the detailed inner boundaries of the green belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city.

- 4.2 Policy Y1(c) indicates that the outer boundary of the York Green Belt is about 6 miles from the city centre and that the Green Belt should:

protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

- 4.3 The saved policies do not define the detailed inner and outer boundaries of the York Green Belt. The precise extent of the York Green Belt has not yet been established. The Council has failed to define the boundaries of the proposed green belt since the principle of having a green belt was first conceived in 1988. This will be undertaken through the preparation of the Local Plan, in order to establish long-term development limits that safeguard the special character and setting of the historic City.

- 4.4 The National Planning Policy Framework defines the role of the Green Belt and sets out the parameters under which Green Belt boundaries are established in Local Plans. Paragraph 79 explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence. The five purposes of the Green Belt as set out in Paragraph 80 are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and

- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

4.5 The parameters for establishing and defining Green Belt boundaries are set out in Paragraphs 82 to 85. Paragraph 82 states that new Green Belts should only be established in exceptional circumstances. Local planning authorities proposing a new Green Belt should demonstrate why normal planning and development management policies would not be adequate, having regard for the other objectives of the Framework and the consequences of the proposal on sustainable development.

4.6 Paragraph 83 indicates that local planning authorities should establish Green Belt boundaries in their Local Plans having regard to their intended permanence so that they can endure beyond the plan period. Paragraph 85 states that when defining boundaries, local planning authorities should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- identify areas of 'safeguarded land' between the urban area and the Green Belt, to meet longer-term development needs beyond the plan period;
- make clear that the safeguarded land is not allocated for development at the present time;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

4.7 Due to the continued failure of the Council not produce an adopted Local Plan, some considerable confusion surrounds the status of the Green Belt. Much of the commentary relating to the Green Belt speaks from a position that assumes the Green Belt boundaries are fixed in an adopted plan and that any suggestion that sites should be allocated for development will result in land being taken out of the Green Belt (in

which case the second sentence of paragraph 83 of the NPPF would apply i.e. Green Belt boundaries should only be altered in exceptional circumstances).

- 4.8 This is, however, an utterly erroneous assumption because the Green Belt boundaries around York are being defined (or established) for the first time. They are not being altered. In this case, paragraph 85 of the NPPF is therefore the Key advice to be considered. In defining/ establishing boundaries the Council must meet the identified requirement for sustainable development i.e. it must allocate land to meet identified needs for housing, employment, leisure and other needs.
- 4.9 In other words, it is not a question of what land should be taken out of the Green Belt. The Council is at the point of deciding what land should not be included in the Green Belt in order to meet the identified requirements for sustainable development.

5.0 THE CASE FOR EXCLUDING THE SITE FROM GREEN BELT

Sustainability

- 5.1 The site is located within 800m of a range of local amenities and services such as a convenience store, healthcare services, church and community hall. The centre of Upper Poppleton is only 10-15 minutes' walk (1.1km) from the northern edge of the site, enabling convenient access to most services via sustainable modes of transport.
- 5.2 The Poppleton Bar Park & Ride facility abuts the site to the northwest, providing direct access to the centre of York. Poppleton rail station, which offers connections to Leeds and York stations, is 5 minutes' walk from the site (less than 400m). The site is well positioned to take advantage of major roads as it is bounded by the A59 and the York Ring Road A1237.

Green Belt Appraisal

- 5.3 In order to determine whether it is appropriate to include the site in the York Green Belt, the site is assessed against the 5 purposes of the Green Belt set out in Paragraph 79 as follows:

I. To check the unrestricted sprawl of large built-up areas

There is already development in close proximity to the site. Immediately to the west of the site is Northminster Business Park and Poppleton Park and Ride. The northern and southern parts of the site are built up, and there is some development along the western edge of the site. The remainder of the site is enclosed by development on three sides and is not large enough to constitute a contribution to urban sprawl. The proposed allocation of the northern part of the site for employment development (Site EI6) along with the recommended allocation of land to the west of Northfield Lane for employment (Site ST19) would further minimise the impact of excluding the site from the Green Belt, as the remaining undeveloped area would be of very minor significance to the overall settlement pattern in the York area.

2. To prevent neighbouring towns merging into one another

The site currently constitutes a partially developed area on the edge of Upper Poppleton. There is development to the north and west as detailed in above. The relatively small undeveloped area within the site is not considered to play a significant role in preventing the coalescence of York with nearby communities. In the Council's 2003 Green Belt Appraisal, the site is not identified as an area preventing coalescence. The A1237 ring road to the east of the site represents a strong physical feature of permanence and defensible boundary for the Green Belt, which can serve to prevent coalescence of Upper Poppleton with York regardless of whether this site is included.

3. To assist in safeguarding the countryside from encroachment

To be in the open countryside, a site must be surrounded by agricultural land, away from large settlements or in a small community set within the broad sweep of a rural landscape. Given the presence of development adjacent to the site on its east, north, west and south boundaries, the site cannot be considered to be in the open countryside. Rather, it is a gap site within the significant built up area which forms the southern expansion of Upper Poppleton. The Consultation Document proposes to allocate further land for employment development at Northminster Business Park that would further add to the amount of development around the site. As it stands, the site does not perform the function of safeguarding countryside from encroachment and the proposed allocations of sites E16 and ST19 would further urbanise the site and its surroundings.

4. To preserve the setting and special character of historic towns

Accepting the particular function of the Green Belt for York is to safeguard the special character and setting of the historic city, including views of the Minster, the application site clearly has no impact on that function, given its distance from York City Centre and the absence of views of the Minster and existing

development on the site. There is no evidence that excluding the site from the Green Belt would harm the setting and special character of historic York.

5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land

York is a vibrant and economically healthy city with one of the lowest unemployment rates in Yorkshire. There are few areas of the City in need of regeneration. Most, if not all, of the few remaining brownfield sites (for example British Sugar) have planning applications pending or redevelopment proposals outstanding (York Central, for example). The scale of the potential development on the site will have no impact on the viability of remaining brownfield sites in the City. Including this site within the Green Belt will therefore not assist in urban regeneration or encourage the recycling of derelict land.

- 5.4 Based on the above assessment, the site does not perform any of the five roles of the Green Belt. The question of whether the site should be included in the Green Belt has been addressed in the technical studies comprising the evidence base of the emerging Local Plan. The studies identify the historic strays, land important to the rural setting of the City or for the setting of a village, areas preventing coalescence, areas serving as a 'green wedge' or as an extension to a 'green wedge' and river corridors. The site has not been identified as contributing to any of those functions either in the Green Belt Appraisal of 2003 or in the updated assessment provided in the York Historic Character and Setting Technical Papers of 2011 and 2013. Technically, the site serves no obvious Green Belt function in relation to the historic setting of the City and need not be kept permanently open.
- 5.5 Furthermore, the land to the south of the proposed employment allocation (EI6) was previously considered suitable for employment use. The suitability of the site for employment use was considered through the Council's Site Selection Paper (June 2013) that formed the basis of the Preferred Options Draft Local Plan (June 2013). Suitability for employment use was assessed against 4 criteria. The site passed Criteria 1,2,3 (It was not wholly within Historic Character and Setting, Nature conservation designations,

Regional Green Corridor, Ancient Woodlands, Functional Floodplain, Flood Zone a or open space designation) and it also passed criteria 4 for employment purposes (access to services).

- 5.6 All sites which passed the first 4 criteria as having suitability for employment were then passed to consultants Drivers Jonas Deloitte for further analysis and to develop a shortlist of those with the greatest potential to fill the current Employment demand for uses B1, B2, B8. The comments on the site made by Drivers Jonas Deloitte were:

This site would form a natural part of the Northminster business Park. The site would form part of the wider parcel of land to accommodate a range of B class uses (B1 (a), B1(c) B2 and B8) and benefits from an established location, existing infrastructure and direct access to the A59 and wider road network. Ancillary uses C1/A3/A4/D2 could also be included within this new Business Park as it is developed over the plan period. Poppleton railway station is a 10 minute walk and connectivity improvements could be delivered with early phases of development, however the site does provide a natural buffer between Northminster Business Park and the A1237. On balance, this site may be better left undeveloped to provide an appropriate buffer between future development and the A1237 and expansion focused towards the west of site 684.

- 5.7 The site was not shortlisted for employment use or carried forward for further employment analysis. The proposed site was therefore not one of the Council's preferred shortlisted B1 employment sites.
- 5.8 The decision not to allocate the site for employment purposes seems based solely on the comment that the site would be a buffer between future development at Northminster Business Park and the ring road. However the site is large enough to accommodate employment development and still maintain a buffer with the ring road. The decision to allocate the Wyevale Garden centre which directly adjoins the A59 for employment use and no further from the ring road than the subject site demonstrates this issue is not a barrier to the allocation of the subject site.

- 5.9 Paragraph 79 of the NPPF defines the essential characteristics of Green Belts as their openness and permanence. The NPPF is clear that land which is unnecessary to keep permanently open should not be included in the Green Belt (Para 85). For the reasons described above, this site is not open and therefore cannot contribute to the openness of the Green Belt. The proposed employment allocations within the around the site indicate that it will be even less open in the future. It is therefore argued that the concepts of permanence and openness are not relevant to this site and that it does not meet the criteria for inclusion in Green Belt as set out in Paragraph 85. Therefore following the guidance in paragraph 85 of the NPPF, it is not necessary to keep this land permanently open and it should therefore not be included in the Green Belt.
- 5.10 Paragraph 85 states that Green Belt boundaries should be defined clearly using physical features that are readily recognisable and likely to be permanent. The woodland on the site's eastern boundary effectively disconnects the site from the proposed Green Belt to the east, a severance which is emphasised by the Ring Road. The Ring Road, the A59 and Northfield Lane would represent a recognisable and permanent boundary for the Green Belt.
- 5.11 Other representations have been submitted relating to individual parcels of land within the larger area encompassed by this representation. Those representations propose the allocation of various plots of land for housing, employment or a caravan park. Those representations also demonstrate that considerably more land is required to meet the development needs of the City than is proposed in the current consultation document.

6.0 CONCLUSIONS

- 6.1 The site is neither open nor in the countryside, given the current level of development on the site and in surrounding areas. The proposed allocations in the Preferred Sites Document would result in further urbanisation, leaving a small proportion of the site undeveloped. The site performs none of the roles of the Green Belt as defined in the NPPF and there has been no proper justification in planning terms of including the site in the Green Belt.
- 6.2 The site is in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. In light of the current shortage of housing in York, it is considered that there is far higher potential for the site to contribute to the aims of the York Local Plan as a development site than as part of the Green Belt.
- 6.3 Including this site in the York Green Belt would result in an ambiguously defined Green Belt which would not have the characteristics of openness, permanence or defensibility. Moreover, such a designation would conflict with Green Belt policy as set out in the NPPF. The landowner therefore requests that the council does not include the land within the proposed Green Belt.

Appendix I

Location Plan



Poppleton Bar Park And Ride

Wheat Lands

Wheat Lands

Northbrook Business Park

North Field

North Field

Database Survey © Crown Copyright 2016. All rights reserved.
License number 10002402. Planned Scale - 1:4000

Appendix 2

Ecology Report

Morning Eamonn / Naomi,

In response to your query regarding the ecological value of the woodland surveyed by Brooks Ecological in 2015 –

This area comprises a young, planted area of Broadleaf woodland, the value of which is limited by

- its isolated location in the wider landscape
- regular disturbance by walkers.
- Young age of the woodland
- lack of significant ground flora / understorey

It does not qualify as a 'habitat of principle importance' under the NERC act (2006).

2015 survey did not identified evidence of any protected or otherwise notable species, and bat activity was found to be low.

The woodland is not considered a significant constraint to development – although in line with NPPF – if its loss is required, this should be mitigated for.

Let me know if you require further information.

Kind regards

Daniel Ross BSc (Hons)
Ecologist



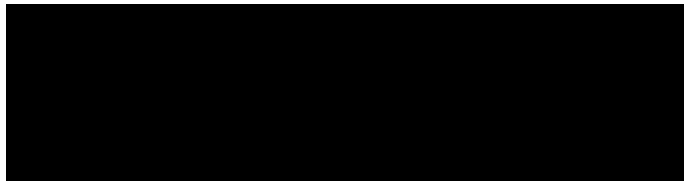
Unit A
1 Station Road
Guiseley
LEEDS
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01943 884451



**Preliminary Ecological Appraisal
Land off Northfield Lane, Upper Poppleton**

Report reference: R-2217-01
June 2015

Report Title:	Preliminary Ecological Appraisal Land off Northfield Lane, Upper Poppleton
Report Reference:	R-2217-01
Written by	Daniel Ross BSc (Hons) GradCIEEM Assistant Ecologist
Technical review:	Sam Kitching BSc (Hons) Grad CIEEM Ecologist
QA review:	Robert Weston BSc(Hons) MSc MCIEEM Technical Director
Approved for issue	Robert Weston BSc(Hons) MSc MCIEEM Technical Director
Date	19.06.15



Summary Statement

Areas to be impacted by current proposals are of low ecological value, and their loss will have a negligible impact on the biodiversity of the area.

Summer Bat activity Transect in June 2015 confirmed low levels of activity of common species. Current proposals will likely have a negligible impact on local bat populations.

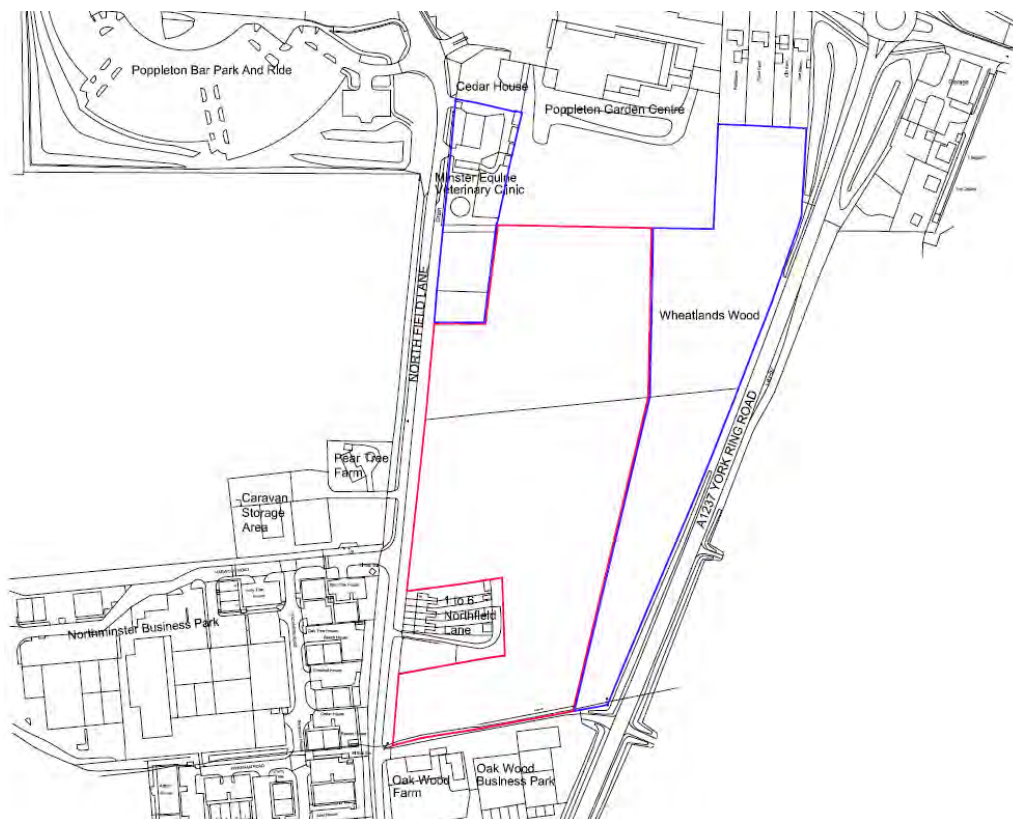
eDNA testing has confirmed the absence of great crested newt in a nearby pond to the south. No further survey effort is required with respect to great crested newt and their presence on site is considered very unlikely.

Recommendations are made for the enhancement of the site for wildlife.

Introduction

1. Brooks Ecological Ltd was commissioned by SBO Lands Ltd to carry out a Preliminary Ecological Appraisal of land off Northfield Lane, Upper Poppleton, York, North Yorkshire (SE 560 530).
2. The application site 'the site' encompasses two arable fields, to the south of the village of Upper Poppleton. The extent and location of the site is shown in Figure 1 below.

Figure 1 Survey site boundary (red line)



Proposals

3. The proposals plan (below) shows the conversion of the site into a touring caravan park. This will involve the incorporation of access road and amenities, and associated lighting.

Figure 2 Indicative proposals.



Site context

4. Aerial photographs published on commonly used websites were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This approach can be very useful in determining if a site is potentially a key part of a wider wildlife corridor or an important node of habitat in an otherwise ecologically poor landscape. It can also identify potentially important faunal habitat (in particular ponds) which could have a bearing on the ecology of the application site. Ponds may sometimes not be apparent on aerial photographs so we also refer to close detailed maps that identify all ponds issues and drains. We use Promap Street + scale maps for this purpose.
5. The site is located to the west of the city of York, surrounded in the immediate vicinity by -
 - An area of planted woodland bordering the site to the east (not in the application site, but covered by the scope of this report.)
 - built development along the southern boundary,
 - and a mixture of built development and arable farmland along the northern and western boundary.
6. The wider area comprises predominantly arable farmland to the west, with development associated with the western fringe of York found over arable fields to the east.

Wildlife corridors

7. The site is not connected to any strong wildlife corridors through the wider area. Movement of terrestrial wildlife to the north and east will be restricted by the A1237, and Roman Road (A59). Limited connectivity is apparent to the west, via arable field boundaries - however no significant valuable habitat is apparent in the wider area.

Water bodies

8. There are two water bodies apparent from mapping within 500m of the site shown on the figure below.

Figure 3 Local habitat / connectivity features



Figure 4 Ponds plan



- Pond 1 is located c.120m to the south within a motorhome storage compound –



Figure 5

View of off site pond located in motorhome storage c.120m to the south of the site (pond 1).

- Pond 2 is located c.250m to the south west of the site. This pond appears to be part of a drainage network and is pictured below. This pond is separated from the site by fields, recent development, and Northfield Lane.



Figure 6

View of off site pond (pond 2).

Statutory Designations

9. A search of the MAGIC (Multi-Agency Geographic Information for the Countryside) website was undertaken. The MAGIC site is a Geographical Information System that contains all statutory (e.g. Sites of Special Scientific Interest [SSSI's]) as well as many non-statutory listed habitats (e.g. ancient woodlands and grassland inventory sites). It is a valuable tool when considering the relationship of a potential development

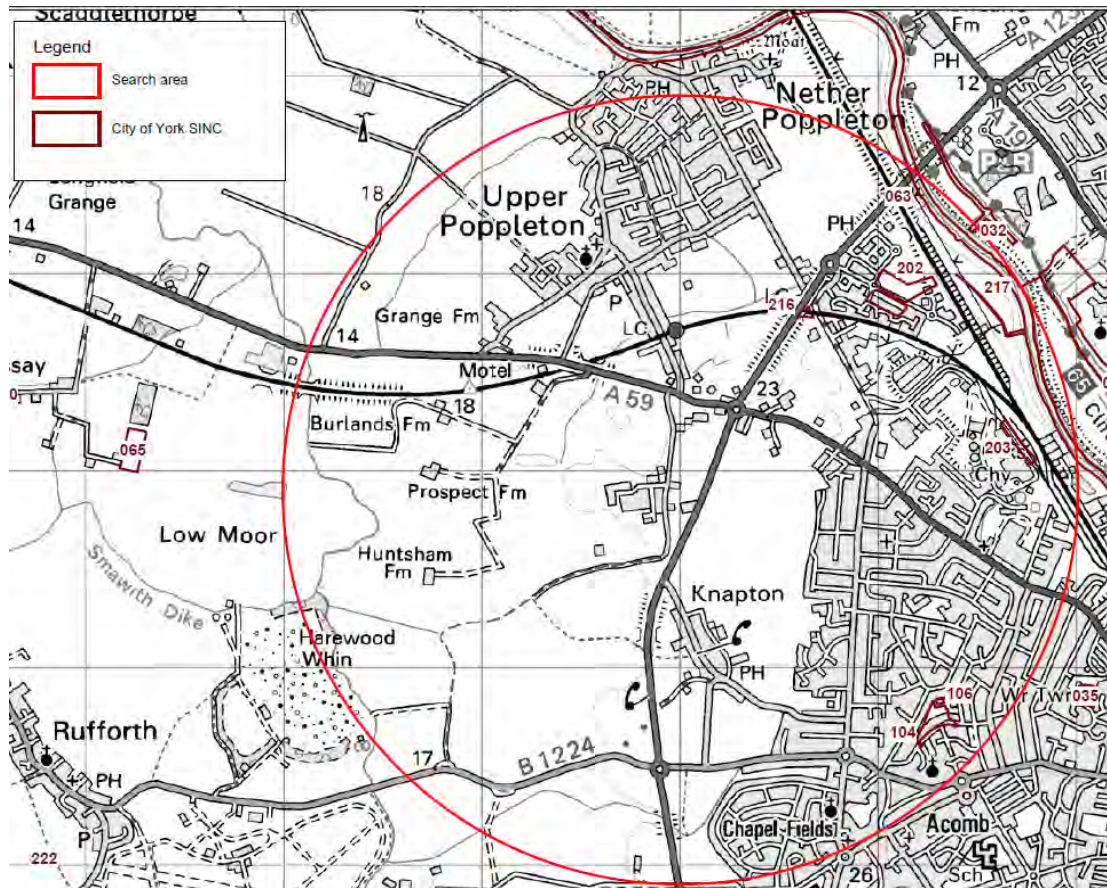
site with nearby important habitats. In addition information from the local record holders has been requested on locally designated sites.

10. A single statutory designation is found within 2km of the application site. This is 'Clifton Ings and Rawcliffe Meadows' - a Site of Special Scientific Interest (SSSI), located c.1.8km to the west. The application site is sufficiently separated from this designation, sharing no similar habitat. As such potential negative impacts are considered very unlikely.
11. The development site lies within the Impact Risk Zone (IRZ) of this SSSI. Local planning authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. The SSSI IRZs can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated.
12. In this instance the proposed development does not fall into one of the categories which trigger the need for consultation with natural England.

Non-Statutory Designations

13. North and East Yorkshire Ecological Data Centre (NEYEDC) has provided information on locally designated sites.
14. Nine Sites of Importance for Nature Conservation (SINC) are found within a 2km search radius. The closest of these is located c.820m to the north east of the site. None of the SINC's are considered to be within the zone of influence of the development, nor do they share any direct physical connection, thus the proposals will have a negligible impact upon them.

Figure 6 Locally designated sites provided by NEYEDC.



Extended Phase 1 Habitat Survey

Method

15. The survey was carried out on the 14th April 2015 and followed Phase 1 habitat survey methodology (JNCC, 1993). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2012).

Results

16. The site comprises two arable field separated and bordered by hedgerows and rank grass field margins. The site footprint is dominated by planted crops, and these will be the areas principally impacted by the proposed development.
17. The following habitats can be described within the application site and on its boundaries:
 - Arable Fields
 - Planted Broadleaf Woodland
 - Hedgerow & trees
 - Field margins.
 - Rank Grassland

Arable Fields

18. The majority of the site consists of planted cereal crop, which due to the application of herbicide, is devoid of any other significant vegetation.



Figure 7

View of southern most arable field looking south east from western boundary

Planted Broadleaf Woodland

19. Along the eastern boundary of the site is an area of young planted woodland which is managed for nature. A range of tree species are found here including common ash (*Fraxinus excelsior*), english oak (*Quercus robur*), wild cherry (*Prunus avium*) and field maple (*Acer campestre*). A number of shrub species are also found here including hawthorn (*Crataegus monogyna*), blackthorn (*Prunus spinosa*), guelder rose (*Viburnum opulus*) and hazel (*Corylus avellana*). Occasional areas of bramble (*Rubus fruticosus*) and nettle (*Urtica dioica*) scrub are also noted at points along the boundaries of this woodland.



Figure 8

View of young broadleaf woodland located along the sites eastern boundary.

20. Common grass species are found throughout this area, with more shaded areas, largeley devoid of vegetation. Species include perennial rye (*Lolium perenne*), cocksfoot (*Dactylis glomerata*) and fescues (*Festuca rubra* agg.), and a limited

range of common forbs such as creeping buttercup (*Ranunculus repens*), ribwort plantain (*Plantago lanceolata*), nettle (*Urtica dioica*), and ivy (*hedera helix*).

Hedgerow & trees

21. Hedgerow on site is species poor, being comprised of predominantly hawthorn (*Crataegus monogyna*) with occasional blackthorn alder (*Alnus glutinosa*) and sycamore (*Acer pseudoplatanus*). Much of the hedgerow appears to be infrequently managed, reaching a height of around c.3m, and width of c.2.5m.



Figure 9

View of the hawthorn hedgerow typical of the site.

22. Along the southern boundary, standards within the hawthorn hedgerow include Lombardy poplar (*Populus nigra 'italica'*), Oak (*Quercus sp.*), silver birch (*Betula pendula*) and sycamore (*acer psuedoplatanus*). Around gardens at the south west of the site species such as *Forsythia* are also found within hedgerow.
23. A single length of Leyland cypress (*Cupressocyparis leylandii*) runs along the northern part of the eastern boundary.
24. Along the western boundary along the road site, there is a line of mature balsam poplar (*Populus balsamifera*) with an understorey of elder (*Sambucus nigra*).



Figure 10

Looking south along the sites western boundary at line of balsam poplar.

Rank Grassland

- 25. An area of grassland is located in-between two sections of the planted woodland which runs along the eastern boundary of the application site. Common grass species such as cocksfoot (*Dactylis glomerata*) and Yorkshire fog (*Holcus lanatus*) dominate here, along with common forb species found elsewhere on site, such as creeping thistle (*Cirsium arvense*), white clover (*Trifolium repens*), Ribwort plantain (*Plantago lanceolata*), knapweed (*Centaurea nigra*), field horsetail (*Equisetum arvense*), as well as yarrow (*Achillea millefolium*), cowslip (*Primula veris*) and common sorrel (*Rumex acetosa*).
- 26. A similar composition of species make up the rank grass borders surrounding the fields with large amount of nettle (*Urtica dioica*) dominating in areas.



Figure 11

View of area of rank grassland between sections of broadleaf woodland off the sites northern boundary.



Figure 12

Example of rank grass boundary of arable fields.

Faunal appraisal

27. This section first looks at the types of habitat found on site or within the sphere of influence of potential development, then considers whether these could support protected , UKBAP or Local BAP (LBAP) priority species (referred to collectively as 'notable species'). A full list of LBAP priority species are provided in appendices.
28. Records of notable species supplied from a 2km area of search by North & East Yorkshire Ecological Data Centre (NEYEDC) are used to inform this appraisal.

Bats

Roosting

29. No built structures are located on site, and the trees on site lack the suitable features to support roosting bats.

Foraging

30. In the context of the wider area which is largely devoid of significant foraging resources, the hedgerow on site, and the woodland along its eastern boundary represent relatively high value foraging habitat. The current proposals detail the removal of part of the hedgerow which runs through the centre of the site, and additionally could result in increased light spillage onto the woodland boundary, and hedgerow / tree lines which surround the site.

31. Further bat survey is recommended in order to establish a baseline for bat activity on site, and therefore determine the likely impact of the proposals on local bat populations. The results of which are presented below

Method

32. The objectives of these surveys are to characterise how local bat populations currently make use of the site, so that an accurate assessment of the potential impacts of development on the site could be made. Surveys therefore set out to collect the following data (BCT survey guidelines 2012):

- The assemblage of bat species using the site;
- The relative frequency with which the site is used by different species;
- The nature of activity for different bat species, for example foraging, commuting and roosting.

33. The transect began around sunset and continued up to 2 hours after when all bats were thought to have emerged, and thus were actively foraging and commuting. Conditions and dates are summarised in table 1 below.

34. The transect was walked by a single surveyor, equipped with a heterodyne detector and recording device (Anabat Express). Notes taken during the survey were then used to produce the activity 'heat map' seen in the below figure. Activity was split into three categories; low irregular, low regular and medium regular. Low activity was classified as up to 2 individual bats, with medium being anything over 2.

Table 1: Survey summary

Survey	Date	Sunset	Weather	Invertebrate activity
Summer	18.06.15	20:46	13 °C, overcast, light wind	High

35. Surveys were directed by Rob Weston BSc (Hons) MSc MIEEM. Rob has many years experience of carrying out bat surveys in a professional capacity and is registered to use the new Class Survey Licence WML CL18 (Bat Survey Level 2). He is a member of the West Yorkshire Bat Group, the Bat Conservation Trust and runs training in bat surveys for student ecologists.

Results

36. Transect started on the western boundary of the site and followed a route (outlined in the figure below) which was repeated twice, and encompassed the entire application site, and the off site woodland to the west.
37. Bat activity was low during the survey, with only common pipistrelle being recorded, and only a single individual bat noted at any one time. The low foraging activity was focused around the woodland edge at the east of the site, and the hedgerow which intersects the two arable fields. Two incidences were noted of common pipistrelle bats flying across the centre of the site.

Figure 13 Bat transect summary



Static monitoring

38. At the time of writing this report the data from the period of static monitoring had not yet been returned. However judging from the results of the transect it is not expected that the data will show anything other than common species at low levels. Upon receipt of the monitoring data, an addendum will be issued.

Amphibians

39. The site is dominated by arable fields which represents relatively low value habitat for this group.
40. A single record of the protected great crested newt (GCN) has been returned from a location c.1.8km to the north east of the site. Although this record itself is disconnected from the site by busy roads and development, it does indicate that there is a population of this species in the wider area.
41. Both pond 1 & 2 were surveyed for GCN by 'Halcrow Group Limited' as part of a planning application (09/02294/FULM) for the Poppleton Park & Ride site. These surveys - now in the public domain - conducted in April / May 2008 confirmed the likely absence of GCN.
42. Given the time which has elapsed since these surveys, and the presence of GCN populations in the wider area, it is possible that GCN may have populated these ponds in the interim period. In order to confirm the continued absence of GCN, and ensure the proposed development does not impact on GCN, the closer and more suitable of these two ponds (pond 1) has been subject to further survey in the form of eDNA testing. These results were returned as negative, confirming the continued absence of GCN in pond 1. eDNA analysis results are supplied in Appendix 2.

Birds

43. Records were returned for a range of species, none of which are likely to depend on the site.
44. All significant vegetation, such as hedgerows and trees have the potential to support nesting birds, and standard precautions should be taken should any of this vegetation be removed as part of the development.

Reptiles

45. The site represents low value habitat for this group, and does not form part of any habitat corridors through the wider area which could facilitate the dispersal of

reptiles. Additionally, no records of reptiles were returned from within 2km and their presence on site is considered unlikely.

Terrestrial mammals

46. The majority of the site does not represent valuable habitat for any protected or otherwise notable mammal species.
47. Although records indicate badger populations as being present in the wider area, no evidence of badger activity could be found within suitable habitat on site. The woodland along the eastern boundary represents relatively high value habitat, however it is disconnected from other areas of suitable habitat by large swathes of arable farmland and roads, and will not be directly impacted by current proposals.

Invasive Species

48. A number of non-native plant species have become established in UK ecosystems. In many cases these non-native flora are able to out-compete native species resulting in a detrimental impact on natives, and the faunal groups which rely on them. These species are listed on Schedule 9 of the Wildlife and Countryside Act (1981, as amended) and as such, it constitutes an offence to cause or allow their spread in the wild.
49. No species listed on this schedule were found on the site during the survey.

Evaluation

50. In evaluating the site the ecologist will take into account a number of factors in combination, such as;
- the baseline presented above,
 - the site's position in the local landscape,
 - its current management and
 - its size, rarity or threats to its integrity.
51. There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP (see appendices) and UK BAP to determine if the site supports any Priority habitats or presents any opportunities in this respect.
52. The assessment of impacts considers the proposals illustrated in Figure 2 from which potential effects include:
- Site preparation including vegetation and habitat removal
 - Direct effects on significant faunal groups or protected species
 - Effects on adjacent habitats or species such as disturbance, pollution and severance
 - Operation effects on wildlife such as noise and light disturbance

On site habitats

53. Current proposals will impact predominantly on intensively managed arable farmland which is of low ecological value. The change in use of this land will be of low ecological significance.
54. The young woodland which borders the site to the east represents higher value habitat which should, and based on current proposals, will be retained.
55. Although species poor, the hedgerow on site represents higher value habitat which also provides a connective feature across the site, and through the wider area. Current proposals see the majority of this hedgerow retained, however small areas will be lost in order to create access roads across the site. The loss of these areas should be easily mitigated for by the planting of species rich hedgerow elsewhere on site, this will ensure no net loss of this UK BAP habitat.

On site fauna

Bats

56. In order to determine the level of usage of the site by bats, a summer activity transect has been conducted in the peak activity season, in order to determine a baseline for foraging activity on the site, and determine the likely impact of the current proposals on local bat populations. The results from this survey are presented below.
57. Bat activity has been found to be low on the site during the peak activity season. With this in mind and based on the current proposals, the development will likely only have a negligible impact on local bat populations. Any potential impacts arising from increased lighting of the hedgerow and woodland boundaries can easily be negated by directing artificial lighting downwards, and away from these features.
58. Currently the proposals see a small section of the hedgerow being lost to facilitate access roads. Based on the results of the transect it is considered that the hedge does not represent an important commuting corridor, and the loss of the scale described in the proposals will have no significant impact on the foraging value of this feature.
59. A suitable lighting scheme, which directs all artificial lighting (i.e. flood lighting used during the construction phase, new street lighting, security lights) away from the woodland and boundary hedgerows. Any permanent lighting installed within close proximity to the woodland would ideally be motion activated and set to a short timer. No lighting should be installed within the woodland.

Nesting birds

60. All significant vegetation, i.e. trees, shrubs, scrub and hedgerows, found on site has the potential to support common garden birds during the nesting period (March-August).
61. To prevent the proposed works impacting on nesting birds any clearance of vegetation will need to be undertaken outside of the breeding bird season which is 1st March – 31st August inclusive. Any clearance that is required during the breeding bird season should be preceded by a nesting bird survey to ensure that the Wildlife and Countryside Act (1981) is not contravened through the destruction of nests and that any active nests are identified and adequately protected during the construction phase of the development.

Off site

62. Given the nature of the proposals, the development is very unlikely to have any implications for any locally designated or statutory sites in the wider area, which share no direct connections to the application site.

Enhancement

63. In line with planning guidance outlined in the National Planning Policy Framework (NPPF) development should take account of the value of ecosystem services and enhance ecological networks.
- The off site woodland to the west is already subject to successful management as a nature woodland. The ongoing management of this area post development is likely and will continue to provide a valuable habitat in a predominantly arable landscape.
 - Useful wildlife habitat could be provided in the form of bat boxes, nesting boxes and deadwood and rubble piles. These would all be targeted at the periphery of the site.
 - Much of the site will comprise amenity grassland. This would benefit from seeding and management as wildflower grassland, with a seed mix which would allow it to fulfil its function as amenity space, whilst also provide a valuable foraging resource for wildlife. An example of a suitable seed mix for this location would be '*EL1 flowering lawn mixture*'*.

*available via Emorsgate Seeds <http://wildseed.co.uk/mixtures/view/56/flowering-lawn-mixture>

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Conservation of Habitats and Species Regulations 2010
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H. L. Andrews (2011) *A habitat key for the assessment of potential bat roost features in trees*.

Ratcliffe, D.A. (1977) *A Nature Conservation Review*, Cambridge University Press

Hedgerow Regulations (1997)
<http://www.legislation.gov.uk/ukxi/1997/1160/contents/made>

Appendix 1 Local BAP – City of York Biodiversity Action Plan

Table 1: Species Action Plans

Species/group
Great Crested Newt
Andrena ruficrus (Bee)
Bats
Bluebell
Dytiscus dimidiatus (Diving beetle)
Farmland Birds
Heath Cudweed
Limnophila fasciata (cranefly)
Lymnaea glabra (freshwater snail)
Marsh Carpet Moth
Paraphotistus nigricornis (beetle)
River Lamprey
Sea Lamprey
Tansy Beetle
Tasteless Water Pepper
Waved Water Beetle
Water Vole (Arvicola terrestris)
Depressed River Mussel (Pseudanodonta complanata)
Medicinal Leech (Hirudo medicinalis)
Agabus uliginosus (beetle)
Tooth fungus (Bankera fuligineoalba)
Freshwater White-clawed Crayfish (Austropotamobius pallipes)
Corncrake (Crex crex)
Bittern (Botaurus stellaris)
Crucifix ground beetle (Panagaeus cruxmajor)
Ground Beetle (Dromius sigma)
Ground Beetle (Amara famelica)

Table 2: Habitat Action Plans

Habitat
Acid grassland
Neutral grassland
Standing open water and canals
Fens and swamps
Heathland
Wet grassland



Appendix 2

Technical Report
Confidential

Folio No: D0905
Report No: 1
Client: BROOKS ECOLOGICAL
Order No: -
Attn: CHRISTOPHER SHAW
Date: 11.06.2015

TECHNICAL REPORT

EXAMINATION OF ENVIRONMENTAL DNA **IN POND WATER FOR THE DETECTION OF** **GREAT CRESTED NEWTS**

A. Stodolna



Sample overview

Sample	Co-Ordinates	Result
D0905	SE 55948 52672	Negative

Methodology

When Great Crested Newts (GCN) inhabit a pond, they deposit traces of their DNA in the water as evidence of their presence. By sampling the water we can analyse these small environmental traces to detect GCN inhabitation.

The laboratory testing is conducted in two phases. The sample first goes through an extraction process where all 6 tubes are pooled together to acquire as much eDNA as possible. The pooled sample is then tested via real time PCR (or q-PCR). This process amplifies select part of DNA allowing it to be detected and measured.

qPCR combines PCR amplification and detection into a single step. This eliminates the need to detect products using gel electrophoresis. With qPCR, fluorescent dyes specific to the target sequence are used to label PCR products during thermal cycling. The accumulation of fluorescent signal during the exponential phase of the reaction is measured for fast and objective data analysis.

The primers used in this process are specific to a part of mitochondrial DNA only found in GCN ensuring no other DNA is amplified.

Samples are tested in a clean room and the different phases of testing are kept separate to reduce any risk of cross contamination.

Each pooled sample is replicated 12 times to ensure results are accurate. If one of the twelve replicates tests positive the sample is declared positive. The sample is only declared negative if no replicates show amplification.



Results

Sample	Co-Ordinates	Positive Replicates	Negative Replicates	Result
D0905	SE 55948 52672	0	12	Negative

Advice

Negative results may not indicate the absence of GCN just the absence of eDNA above the detection limits of the method. It is still advised to survey a pond using traditional methods within 2km of a positive result or a known habitat for GCN.

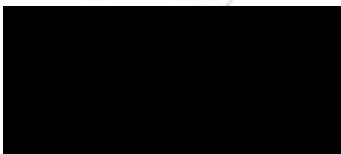
Positive results may be true positives but also may be due to contamination of samples from another pond or improper sampling technique. Please ensure traditional surveys are performed on positive ponds.

The number of positive replicates does not correspond to the size of the GCN population.

Reported By: **Agata Stodolna**



Analysed By: **Thomas Wood BSc(hons) LIBMS**





Appendix 3



Poppleton Garden Centre

Minster Equine Veterinary Clinic

NORTHFIELD LANE

Wheatlands Wood

A1237 YORK RING ROAD

Rear Tree Farm

Caravan Storage Area

Holly Tree House

Box Tree House

Oak Tree House

Beech House

Chestnut House

Cedar House

Rowan House

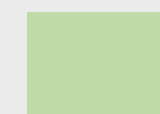
1 to 6 Northfield Lane



Rank grassland



Arable Field



Broadleaf Woodland



Hedgerow



Tree



Unit A, 1 Station Road
Guiseley
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LS20 8BX
www.brooks-ecological.co.uk
T: 01943 884451

Project: Land off Northfield Lane, Upper Poppleton

Title: Ecological Features Plan

Drawing Number: D-2217-01.1

Scale: Do not scale Date: June 2015

Revision:

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Stephen	
Last Name	Otley	
Organisation (where relevant)	SBO Lands Ltd	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The site is proposed for inclusion within the proposed green belt. The site should be excluded from the green belt because it performs poorly against the 5 green belt purposes set out in the NPPF.

Please see attached document setting out the case for the land to be excluded from the greenbelt as illustrated on the draft Proposals Map.

Attachments:

1. Site boundary plan;
2. Text of objection and proposed remedy.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Remove the land from the proposed Green Belt.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

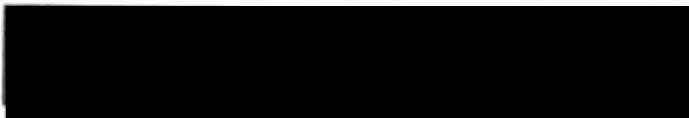
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

22/3/2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

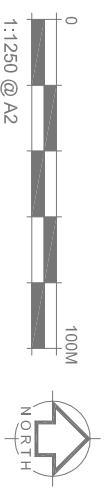
² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

Proposed 5* Touring Caravan site to Land at Northfield Lane, Poppleton, York. YO26 6QF



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Location Plan

Drq. No. 14/21/02 (08/05/15)

YORK LOCAL PLAN, EXAMINATION.

POLICY SS2.

WHEATLANDS, NORTHFIELD ROAD, UPPER POPPLETON.

Objection.

The above land comprises 4ha of undeveloped land lying between Northfield Lane and the York Ring Road. It forms an infill site between existing built development to the north and south. Existing built development (Northminster Business Park) lies across Northfield Lane to the west, with the Park and Ride site to the north of that, separated from the Business Park by a narrow field edge, whilst the eastern edge is formed by the York Ring Road, with a narrow strip of woodland between it and the site. A terrace of existing houses sits within the site fronting Northfield Lane. The site constitutes an infill site within a substantially developed site frontage on the east side of Northfield Lane.

A site plan is attached.

The site is proposed for inclusion within the proposed green belt. The site should be excluded from the green belt because it performs poorly against the 5 green belt purposes set out in the NPPF, as follows:

- a. The site does not fulfil the first Green Belt purpose as it is not in a large built up area but can properly be said to be an infill site. Developing the site would not result in urban sprawl;
- b. The coalescence of towns is not an issue here, given the site's containment within the existing southern extension of the urban form of Upper Poppleton;

- c. The site cannot properly be described as open countryside, nor that it can be said that to develop the site would lead to or even risk encroachment of the built-up area into the open countryside. The site has built form to its north, south and about half of its western boundary. To the east is a woodland Owned by the objector) and the A1237 York Ring Road. It can be fairly described as a gap site within the significant built up area which forms the southern expansion of Upper Poppleton;
- d. Although the Green Belt around York has a particular focus on the fourth purpose, that of protecting the historic setting of York, there is no evidence to suggest that the site performs any material role in protecting the historic setting of York. Indeed, the absence of reference to the site from the Historic Character and Setting Technical Paper and its Update positively suggests that the Council see no such role for the site in that respect either. The site does not afford any important, or even obtainable views from or across it of the Minster;
- e. As for the fifth purpose, given the site's existing sub-urban context and the known shortage of available, suitable and viable land for development within the City, there is no obvious basis for saying that the exclusion of the site from the green belt would risk undermining efforts at urban regeneration. There is thus no strong argument that the site performs the fifth Green Belt purpose.

Overall, there are strong arguments to suggest that the site does not perform Green Belt purposes and that it is not necessary to keep the land permanently open by including it in the proposed green belt.

Furthermore, the land has no physical or spatial connection to the main tracts of proposed green belts which surround Upper Poppleton and which separate it from the main urban edge. It is physically divorced from the open wedge to the east by the A1237 ring road, which forms a strong physical and visual barrier and which would constitute a strong permanent boundary to the green belt. The boundary of the proposed green belt to the west of the site is properly formed by the westward edges of Northminster Business Park, the western edge of Northfield Lane and the Park and Ride. This would form a clear and practical extensive tract of open land without having to include small and awkward infill sites such as the land subject to this objection.

Proposed Remedy.

The site should be excluded from the proposed green belt.

RE: THE LAND KNOWN AS WHEATLANDS, UPPER POPPLETON, YORK

ADVICE

1. I am asked to advise SBO Lands Limited in relation to an application which has been made to the City of York Council (“the Council”) for planning permission for the development of an elite caravan touring park on land at Wheatlands, Upper Poppleton, York.
2. I have had no prior involvement in this matter and I am aware that this Advice may be shared with the Council.
3. In advising, I have seen the following documents:
 - a. A site location plan;
 - b. A Memorandum produced by the Council dated 19th August 2015;
 - c. Policy E8 of the North Yorkshire County Structure Plan;
 - d. The Regional Strategy for Yorkshire and the Humber (Partial Revocation) Order 2013;
 - e. The Explanatory Memorandum to the 2013 Order;

- f. Appeal decision letter APP/C2741/A/13/2191767 relating to land at Westview Close, York;
- g. Appeal Decision Letter and Inspector's Report APP/C2741/V/14/22116946 relating to land at Brecks Lane, Strensall, York;
- h. A document "The City of York Local Plan: The Approach to the Green Belt Appraisal" dated February 2003;
- i. A Technical Paper for the York LDF on Historic Character and Setting dated January 2011;
- j. The City of York Historic Character and Setting Technical Paper Update dated June 2013; and
- k. Annex 13 of the Site Selection Technical Paper dated June 2013.

4. The issues upon which I am asked to advise relate to the Green Belt.

5. As is well-known, the Council has no adopted Local Plan and has never completed the process of defining Green Belt boundaries. Policy E8 of the North Yorkshire Structure Plan provided for the general extent of the Green Belt in a number of places, including:

"(iv) A belt whose outer edge is about 6 miles from York City Centre."

6. The Regional Strategy for Yorkshire and The Humber was only partially revoked in 2013, in order that the general extent of the Green Belt would not be lost pending the completion of the process by the Council to define the boundaries of the Green Belt. The 2013 Order saved parts of policy YH9 and Y1. Part C of policy YH9 required the definition of the detailed inner boundaries of the Green Belt around York that safeguard the special character and setting of the historic city. Policy Y1, Part C1 required the definition of the detailed outer boundaries of the Green Belt around York “about 6 miles from York City Centre”, as well as the inner boundaries, with policy YH9 Part C being cross-referred to. Part C2 of policy Y1 required the protection and enhancement of the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.
7. The 2013 Order also saved the Key Diagram of the RS insofar as it showed the general extent of the Green Belt around York. As is usual, the key diagram is schematic and not to scale.
8. The Council produced a Development Control Local Plan in 2005 which was adopted for development control purposes. In fact, it was the culmination of four sets of modifications to a draft Local Plan produced in 1998. That draft Plan never progressed to examination and never acquired the status of the Development Plan.
9. The Council also produced a new style Local Plan. However, at the point when the Council had to decide whether to submit the plan for examination, the decision was taken to withdraw the plan and revise the proposals. Since that decision was taken in December

2014, I am told that little progress has been made and that no new proposals are in the public domain.

10. The first issue I am asked to address is the question of whether the application site can be taken to be in the Green Belt. The retained provisions of the RS only designate the general extent of the Green Belt. They expressly leave open the question of the definition of the inner and outer boundaries of the Green Belt. Upper Poppleton is in the vicinity of the proposed inner edge of the Green Belt and not the proposed outer edge.

11. The Council's Memorandum of August 2015 deals with the Council's approach to my client's planning application and, although I have not been told this expressly, it appears to be the Council's policy officer's response to the relevant Development Management Officer's consultation request. Amongst other issues, the memorandum deals with the Green Belt aspects of the application. Having recited the history which I have just referred to, paragraph 6.3 of the Memorandum says this:

“6.3 It is therefore the role of the new Local Plan to define what land is in the Green Belt and how Green Belt purposes are interpreted in the York context. Until a Local Plan for York is adopted, development management decisions in relation to proposals falling within the general extent of the Green Belt (as defined in the RSS) will be taken on the basis that land is treated as Green Belt.”

12. I do not believe that this paragraph contains a defensible or tenable approach. I say that for the following reasons:

- a. I agree with the first sentence of the paragraph. That is the clear result of the retention of the relevant parts of the RS and the lack of an adopted Local Plan. The second sentence is inconsistent with the first. It cannot be right, on the one hand, to say that the new Local Plan will have to define what land is in the Green Belt and then claim, on the other hand, that until the Local Plan is prepared, all land within the “general extent” of the Green Belt will be treated as in the Green Belt;

- b. Whilst such an approach might be tenable in a location which, on any reasonable view, lies within the Green Belt’s general extent as shown on the RS’ key diagram, it cannot hold good on a site at the inner or outer margins of the general extent of the Green Belt. That point has all the more force in relation to land, as here, which is close to the inner edge of the general extent, because the key diagram shows indicative white areas between the built up extent of York and the inner edge of the Green Belt;

- c. The approach in the memorandum conflicts with the findings of the two appeal decisions to which I have been directed:
 - i. In the Westview Close decision, which was made by Inspector David Cullingford, a very senior Inspector indeed, paragraph 8 refers to the relevant aspects of NPPF guidance on the establishment of Green Belts and says this:

“Clearly, the Regional Strategy does not condone every undeveloped scrap of land between the built up area and ‘an outer edge’ 6 miles for the city centre being designated as Green Belt; the unrevoked policies are clear and even the Key Diagram indicates areas of ‘white land’ within the ‘ring of green’. The Framework endorses that stance. In those circumstances, the Green Belt role of a small sliver of land immediately adjacent to the built up edge of York (like the appeal site) must be subject to scrutiny and tested against the Framework in relation to considerations of appropriateness, prematurity and precedent.”

Mr Cullingford then went on to address whether the site he was considering did or did not fulfil Green Belt purposes.

- ii. In the other decision, which was recovered by the Secretary of State, the same approach was taken, even though that site could not be described as a small sliver of land. At paragraph 187 of her report the Inspector, Zoe Hill, said that the parties agreed that the appeal site in that case fell within the general extent of the Green Belt and within its outer edge. At paragraph 188 she said:

“There is a lack of clarity about how land and buildings should be considered in terms of the Green Belt, particularly within larger settlements. In general terms, it is not appropriate to assume every

un-built on piece of land within the general extent of the Green Belt should necessarily be considered as Green Belt, rather each case should be considered on its own merits.”

The Secretary of State agreed with paragraph 187 of the report [DL paragraph 9] and “took account of” her analysis at her paragraphs 188 to 192 [DL paragraph 10] and did not disagree with it. At paragraph 2 of the decision letter, the Secretary of State says that he agreed with the Inspector’s analysis except where stated. It can therefore be inferred that he agreed with paragraph 188.

13. In my view, it is not correct for the Council to assume that a site in a location which is capable of being said to be located proximate to either the inner or outer edge of the general extent of the Green Belt is in the Green Belt. As the two appeals I have seen show, a case-specific judgment has to be made about whether the particular site should be treated as Green Belt land. As my Instructing Solicitor says in my Instructions, the task of fixing boundaries is a plan-making matter and will have to be a task undertaken in the light of the chosen development strategy of the Local Plan, if and when it ever progresses.

14. It is important to note the particular context of the York Green Belt. Retained policies YH9C and YH1C2 of the RS specifically mention the “special character and setting of the historic city” and the “nationally significant historical and environmental character of York, including its historic setting ... [and]... views of the Minster.” The policies tell us

that that the fourth Green Belt purpose in paragraph 80 of the NPPF (which replicates the previous guidance on Green Belt purposes) is particularly important in the York context.

15. I therefore agree with the point made in my Instructions that a judgment has to be made as to whether the application site fulfils Green Belt purposes and that, as Mr Cullingford decided in the Westview Close appeal, that considerations of appropriateness, prematurity and precedent should be considered. I also agree that the considerations in paragraph 85 of the NPPF would be relevant too. Those are matters of planning judgment, not law, but it is useful and noteworthy to point to the following matters arising from the Council's own evidence based documents. The 2003 document on the approach to the Green Belt, the 2011 Historic Character and Setting Technical Paper and its 2013 update do not identify the application site as contributing to any of the purposes which those documents consider and which could justify inclusion of land in the Green Belt, such as historic strays, land important for its rural setting, areas preventing coalescence, areas serving as "green wedge" or an extension to a "green wedge" or a river corridor.

16. That is important, given that other land in the vicinity of the application site has been identified as serving one or more of these purposes:

- a. Site 12 at Knapton (east of the application site) [set out in the 2011 Technical Paper]; and
- b. Site 30, land east of Station Road, Poppleton, to the extent that it does not comprise gardens [set out in the 2013 Update Paper].

17. Further, the Council considered the question of whether the application site is appropriate for employment use. Having met the initial 4 criteria used to identify sites as suitable for more detailed assessment, the Council's consultants recommended that the site should not be released for employment uses, but should be kept open as a buffer between future development and the A1237 nearby. Those reasons do not suggest to me that any particular Green Belt purpose was in the consultant's mind.

18. I agree with my Instructing Solicitor's view that there are good arguments that the site does not fulfil any of the first four Green Belt purposes:

- a. There is a strong argument that the site does not fulfil the first Green Belt purpose as it is not in a large built up area but can properly be said to be an infill site. I agree that developing the site would not result in urban sprawl;
- b. Nor do I think that the issue of coalescence of towns is an issue here, given the site's containment within Upper Poppleton;
- c. I do not believe that the site can properly be described as open countryside or that it can be said that to develop the site would lead to or even risk encroachment of the built up area into the open countryside. The site has built form to its north, south and about half of its western boundary. To the east is a woodland and the A1237 York Ring Road. I think it is fairly described in my Instructions as a gap site within the significant built up area which forms the southern expansion of Upper Poppleton;

- d. Although the Green Belt around York has a particular focus on the fourth purpose, that of protecting the historic setting of York, I have seen no evidence to suggest that the application site performs any material role in protecting the setting of York. Indeed, the absence of reference to the site from the Historic Character and Setting Technical Paper and its Update positively suggests that the Council see no such role for the site in that respect either. Nor have I seen any evidence to suggest that the site affords any important, or even obtainable views from or across it of the Minster;
- e. As for the fifth purpose, the proposal would be that the site should be developed for the elite touring park use, not as housing. I see no basis for saying that to allow such a use to occur on the application site would risk undermining efforts at urban regeneration. The proposed use is not particularly suited to an urban area and I do not believe that there is a strong argument that the site performs the fifth Green Belt purpose.

19. Overall, I believe that there are strong arguments to suggest that the site does not perform Green Belt purposes and that it is not necessary to keep the land permanently open.

20. If the land were to be treated as in the Green Belt, then it is clear that the proposal would be inappropriate development in the Green Belt. My client has wisely considered that eventuality and has set out a suite of factors which it argues amount to very special circumstances which outweigh the harm caused by inappropriateness and any other harm.

21. As to prematurity, the emerging Local Plan has retreated in its preparation. As I understand it, there is no draft plan in existence in the public domain.

22. The PPG provides the following guidance on prematurity, so far as relevant to an emerging Local Plan (there is no suggestion of an emerging Neighbourhood Plan in my papers):

“In what circumstances might it be justifiable to refuse planning permission on the grounds of prematurity?”

Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan ... ; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

Refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.”

23. On the basis of the information before me I think that it is not at all likely that the Council could justifiably refuse the application on prematurity grounds, for the following reasons:

- a. There is no Local Plan in the public domain, so it is difficult to see what the application could be premature in relation to. As Frances Patterson QC (as she then was) said in *R (Truro City Council) v Cornwall County Council* [2013] EWHC 2525 (Admin):

“64 It is quite impossible to divorce the issue of prematurity from the local plan process: after all, the impugned decision is premature to what? The essence of a successful claim of prematurity is that the development proposed predetermines and pre-empts a decision which ought to be taken in the Development Plan process by reason of its scale, location and/or nature or that there is real risk that it might do so. Whether the proposed development will actually do so is something which should therefore be addressed”;

- b. The PPG says that refusal on prematurity grounds is unlikely to be justified except where, amongst other things, the emerging plan is at an advanced stage. The Local Plan cannot rationally be described as at an advanced stage;
- c. There is no reason to think or evidence to show that to grant permission now for the elite touring park would prejudge decisions about the scale, location or phasing of new development at all, still less as regards decisions which are “central” to the Local Plan; and

d. I note that despite the fact that the August 2015 memorandum has been written with some care and is detailed, it does not raise a prematurity concern.

24. As for precedent, I do not see a real risk of that being a weighty objection to the proposal. It might have been otherwise had the proposal been for housing. However, the specific nature of the development proposed raises issues which are unlikely to be replicated with any frequency and, in any event, the decision will have to be made on the site specific merits. As the two appeal decisions show, a site specific consideration of the question of whether land should be treated as in the Green Belt can produce differing results.

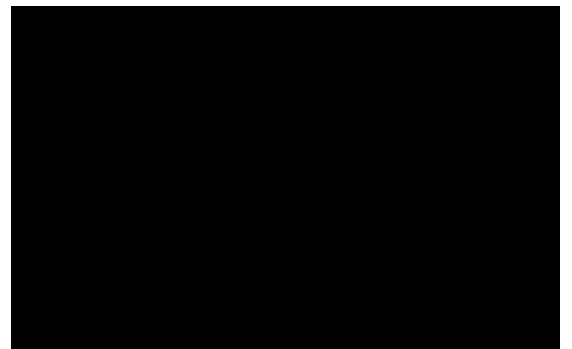
25. I trust that I have dealt with all of the issues upon which my Advice was sought. If I can be of any further assistance, then my Instructing Solicitor must not hesitate to contact me in Chambers.

MARTIN CARTER
21st October 2015

Kings Chambers
Manchester – Leeds – Birmingham.

RE: THE LAND KNOWN AS
WHEATLANDS, UPPER POPPLETON, YORK

ADVICE



SBO Lands Ltd

FREEPOST RTEG-TYYU-KLTZ,
Local Plan,
City of York Council,
West Offices,
Station Rise,
York,
YO1 6GA.

Dear Sirs,

YORK LOCAL PLAN, PUBLICATION DRAFT, SUBMISSION OF REPRESENTATIONS.

Please find attached the following representations submitted by SBO Lands.

In relation to land at Wheatlands, Northfield Lane, Upper Poppleton:

- Objections under policies SS1, H1, EC1 and G15;

In relation to land occupied by Minster Vets, Northfield Lane, Upper Poppleton:

- Objection under policy H1;

Each representation includes the form and supporting information. Please let me know if you need anything further.

Kind regards



Stephen Otley
SBO Lands Ltd



[REDACTED]

From: Stephen Otley [REDACTED]
Sent: 23 March 2018 11:36
To: localplan@york.gov.uk
Subject: Land of Northfield lane Poppleton Employment
Attachments: Policy H1 Objection Statement Final.docx; Consultation response form EC1.pdf; Covering letter reps 2018 Inspector.pdf; 171024 Land east of Northfield Lane Main Site.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Red Category

Dear Sirs

Please see attached supporting documents, forms for land of Northfield Lane Poppleton proposed for Employment

Kind regards

Stephen Otley
Director

SBO Lands Ltd

SBO Lands Ltd

FREEPOST RTEG-TYYU-KLTZ,
Local Plan,
City of York Council,
West Offices,
Station Rise,
York,
YO1 6GA.

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- Objections under policies SS1, H1, EC1 and G15;

In relation to land occupied by Minster Vets, Northfield Lane, Upper Poppleton:

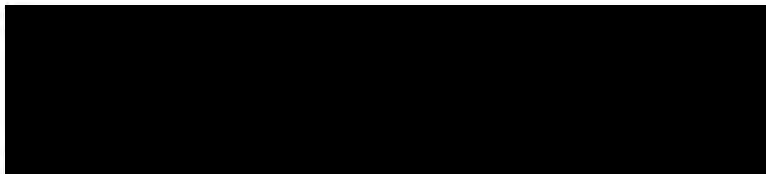
- Objection under policy H1;

Each representation includes the form and supporting information. Please let me know if you need anything further.

Kind regards



Stephen Otley
SBO Lands Ltd



City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Stephen	
Last Name	Otley	
Organisation (where relevant)	SBO Lands Ltd	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)Positively prepared Justified

Effective

Consistent with
national policy **5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?**

(Complete any that apply)

Paragraph
no.Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Employment allocations are inadequate to meet the economic needs of the District and therefore additional land should be allocated to meet such needs. Due to the relative lack of development sites within the urban area, this will require the development of land beyond the current urban edge. This has not been adequately addressed in the Draft Local Plan and the green belt boundary has been too tightly drawn. The land in question does not fulfil any of the 5 green belt purposes, being an infill site within an existing urban area. It is also sustainably located close to the Poppleton Park and Ride, a location which should be used fully for development in order to fully benefit from its travel sustainability.

The attached statement sets out the case in full.

Site 885 should be removed from the proposed green belt and allocated for employment use.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

***Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

The site should be removed from the proposed green belt and allocated for employment development, or as safeguarded land for employment development beyond the current Plan period.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

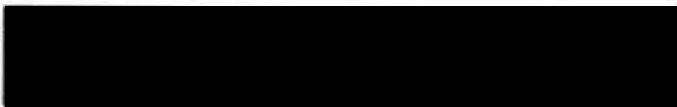
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

22/3/2018

This representation is for the allocation for housing or employment of approximately 4ha (10 acres) on land east of Northfield Lane.

The site performs none of the roles of the Green Belt as defined in the NPPF and there has been no proper justification in planning terms of including the site in the Green Belt. The site is in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. It would offer residents or employees a high level of amenity as it is well screened by hedgerows and is very close to Wheatlands Woodland. The housing allocations proposed in the Publication Draft document are wholly inadequate to meet the housing needs of the district. Without considerably more housing land the objectively assessed housing needs of the City will not be met and the Local Plan will be found unsound.

The proposed site is viable, deliverable and sustainable. In light of the current shortage of housing in York and the proposed allocation of the adjacent Garden Centre for residential development, it is considered that the site would make a greater contribution to the aims of the York Local Plan as a residential or employment site than as an isolated and incongruous piece of the York Green Belt.

The site is also well-related to existing employment land and was previously assessed as being suitable for employment use. The site would make a useful contribution to the employment offer in the City, increasing the range and quality of well-located sites available to indigenous business and inward investors.

CITY OF YORK COUNCIL LOCAL PLAN PRE-
PUBLICATION REGULATION 18 CONSULTATION

LAND EAST OF NORTHFIELD LANE AND SOUTH
OF POPPLETON GARDEN CENTRE
UPPER POPPLETON, YORK

PLANNING REPRESENTATION ON BEHALF OF
SBO LANDS LTD

October 2017



Chartered Town Planning Consultants

EXECUTIVE SUMMARY

This representation is for the allocation for housing or employment of approximately 4ha (10 acres) on land east of Northfield Lane.

The site performs none of the roles of the Green Belt as defined in the NPPF and there has been no proper justification in planning terms of including the site in the Green Belt.

The site is in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. It would offer residents or employees a high level of amenity as it is well screened by hedgerows and is very close to Wheatlands Woodland.

The housing allocations proposed in the Pre-Publication Draft document are wholly inadequate to meet the housing needs of the district. Without considerably more housing land the objectively assessed housing needs of the City will not be met and the Local Plan will be found unsound.

The proposed site is viable, deliverable and sustainable. In light of the current shortage of housing in York and the proposed allocation of the Garden Centre for residential development, it is considered that the site would make a greater contribution to the aims of the York Local Plan as a residential site than as an isolated and incongruous piece of the York Green Belt.

The site is also well related to existing employment land and was previously assessed as being suitable for employment use. The site would make a useful contribution to the employment offer in the City, increasing the range and quality of well-located sites available to indigenous business and inward investors.

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- 1.0 INTRODUCTION
- 2.0 YORK LOCAL PLAN
- 3.0 PROPOSED SITE
- 4.0 PLANNING POLICY
- 5.0 THE CASE FOR ALLOCATION AS A RESIDENTIAL SITE OR
EMPLOYMENT SITE
- 6.0 CONCLUSION

APPENDICES

- 1. LOCATION PLAN
- 2. HOUSING ALLOCATIONS TRAJECTORY
- 3. ECOLOGY REPORT

1.0 INTRODUCTION

- 1.1 This statement is provided as a representation on behalf of SBO Lands Ltd for the allocation for housing or employment of approximately 4ha (10 acres) on land east of Northfield Lane. The freehold of this site is owned by SBO Lands Ltd.
- 1.2 Section 2 briefly summarises the current position of the Local Plan preparation.
Section 3 describes the representation site.
Section 4 summarises planning policy relevant to this representation.
Section 5 sets out the case for allocating the site for residential and employment development.
Section 6 provides a summary of the representation.

2.0 YORK LOCAL PLAN

- 2.1 The Council produced a Development Control Local Plan in 2005 but this has not been subject to Examination and is now out of date. The Council are preparing a new Local Plan. Consultation was undertaken on the preferred options draft of the plan in June 2013. A publication draft of the Plan was considered by the Council's Local Plan Working Group in September 2014 but in October 2014 work on the Draft Plan was halted.
- 2.2 The Council has recently published a Pre-Publication Draft Local Plan for Consultation in September – October 2017. In that document the Poppleton Garden Centre site adjacent to the north of the representation site is identified as an employment allocation. The District Wide Plan included as Figure 5 in the Consultation Document suggests that the site will form part of the Green Belt.

3.0 PROPOSED SITE

- 3.1 The site is shown edged in red on the attached Location Plan (Appendix I). The Site comprises 4ha of flat amenity grassland. Access into the Site is obtained via a large field gate on Northfield Lane.
- 3.2 The boundaries of the Site are well-defined and it is fully enclosed and screened from all directions as follows:

The boundary to Northfield Lane is defined by a 4-5 metre high hedge with trees, providing a solid screen alongside the northern field. Alongside the southern field the hedge is somewhat thinner and broken views into the site can be obtained from close range. A highway verge runs the full length of the Site on this boundary and a footway runs for most of the length of the west side of the highway, almost as far as the Park and Ride. The Northminster Business Park lies across the road from the site;

The eastern boundary is defined by a substantial woodland which separates the Site from the outer ring road. This woodland, which is owned by the representor and is used primarily for recreation purposes, in particular dog walkers. There is no public access to the Woodland.

The northern boundary abuts the Minster Veterinary Practice and the rear of the garden centre that is proposed as a housing allocation.

- 3.3 The landscape surrounding the site is generally flat and distant views into it are not available either from Knapton to the east or from the open countryside to the west. The elevated section of the A59 adjacent to the Park and Ride similarly does not permit a clear view of the Site which is merged into the surrounding landscape of buildings, trees and hedges. The Site thus comprises a gap site within a significant built-up area forming the southern extension of the village of Upper Poppleton.

4.0 PLANNING POLICY

Regional Policy

- 4.1 The Regional Spatial Strategy for Yorkshire and the Humber (The Yorkshire and Humber Plan, May 2008) has been revoked with only two policies relating to retention of the Green Belt around the City of York still in force. Policy YH9(c) states that:

the detailed inner boundaries of the green belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city.

- 4.2 Policy Y1(c) indicates that the outer boundary of the York Green Belt is about 6 miles from the city centre and that the Green Belt should:

protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

National Planning Policy

- 4.3 The NPPF was published in March 2012 and replaces all previous Planning Policy Guidance notes and some circulars. The Framework sets out the Government's clear intention to facilitate economic growth through sustainable development. In the introduction to the framework, the Minister for State says:

The purpose of planning is to help achieve sustainable development.

Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations.

Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices.....

- 4.4 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. The NPPF explains that for decision-taking this means:

- *approving development proposals that accord with the development plan without delay and*

- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted*

4.5 On the issue of housing the NPPF is clear about the need for a significant increase in housebuilding to address existing backlog and meet future needs. Local authorities are encouraged to "...boost significantly..." the supply of housing. Paragraph 47 of the NPPF states:

To boost significantly the supply of housing, local planning authorities should:

- *use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area*
- *identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;.....*

4.6 With regard to affordable housing, paragraph 50 of the NPPF advises that where LPA's have identified that affordable housing is needed, they should, preferably, set policies for meeting this need on site.

4.7 However, in setting the requirement for affordable housing, regard must be had to the viability of development. Paragraph 173 advises that plan making requires careful attention to viability:

Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

4.8 Paragraph 174 goes on to say that the cumulative cost of policy and local standards imposed on development, including affordable housing.

...should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle."

4.9 The precise extent of the York Green Belt boundaries will be determined through the preparation of the Local Plan, in order to establish long-term development limits that safeguard the special character and setting of the historic City.

4.10 The National Planning Policy Framework defines the role of the Green Belt and sets out the parameters under which Green Belt boundaries are established in Local Plans. Paragraph 79 explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence. The five purposes of the Green Belt as set out in Paragraph 80 are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

4.11 The parameters for establishing and defining Green Belt boundaries are set out in Paragraphs 82 to 85. Paragraph 82 states that new Green Belts should only be established in exceptional circumstances. Local planning authorities proposing a new Green Belt should demonstrate why normal planning and development management policies would not be adequate, having regard for the other objectives of the Framework and the consequences of the proposal on sustainable development.

4.12 Paragraph 83 indicates that local planning authorities should establish Green Belt boundaries in their Local Plans having regard to their intended permanence so that they can endure beyond the plan period. Paragraph 85 states that when defining boundaries, local planning authorities should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- identify areas of 'safeguarded land' between the urban area and the Green Belt, to meet longer-term development needs beyond the plan period;
- make clear that the safeguarded land is not allocated for development at the present time;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

4.13 In the absence of an adopted Local Plan, some considerable confusion surrounds the status of the Green Belt. Much of the commentary relating to the Green Belt speaks from a position that assumes the Green Belt boundaries are fixed in an adopted plan and that any suggestion that sites should be allocated for development will result in land being taken out of the Green Belt (in which case the second sentence of paragraph 83 of the NPPF would apply i.e. Green Belt boundaries should only be altered in exceptional circumstances).

4.14 This is, however, an erroneous assumption because the Green Belt boundaries around York are being defined (or established) for the first time. They are not being altered. In this case, paragraph 85 of the NPPF is therefore the Key advice to be considered. In defining/ establishing boundaries the Council must meet the identified requirement for sustainable development i.e. it must allocate land to meet identified needs for housing, employment, leisure and other needs.

4.15 In other words, it is not a question of what land should be taken out of the Green Belt. The Council is at the point of deciding what land should not be included in the Green Belt in order to meet the identified requirements for sustainable development.

5.0 THE CASE FOR ALLOCATION AS A RESIDENTIAL SITE OR EMPLOYMENT SITE

The need for housing

5.1 This section will:

- assess whether the Council's approach to housing provision will address the housing needs of the City during and beyond the Plan period;
- assess whether the approach to estimating the quantity of housing is accurate;
- Put forward an alternative housing requirement;
- Identify a more realistic housing land requirement

Local plan Working Group July 2017

5.2 The updated housing requirement of the City was reported to the Local Plan Working Group (LPWG) on the 10th July 2017. The report identified an annual housing requirement of 953 dwellings per annum based on evidence provided by the Council's own consultants G L Hearn in the Draft Strategic Housing Market Assessment. The 953 is composed of a Demographic baseline of 867 dwellings; and an adjustment for 'market signals' of 10%.

5.3 The LPWG report stated that the Plan period runs from 2012 to 2033. The Council acknowledge in the LPWG report that as York is setting detailed Green Belt Boundaries for the first time, it is also necessary to consider the period beyond the end date of the plan to 2038 to provide an enduring Green Belt.

5.4 On the basis of the Local Plan Working Group report the housing requirement for the Plan period 2012 to 2033 is therefore 20,031 (21×953). The housing requirement need calculation for the period 2032 to 2037 would be 4,765 (5×953).

5.5 In calculating the land required to meet the housing requirement the Council had regard to completions to date and unimplemented permissions. The Council also assumed a windfall completion rate of 169 from year 4 of the plan. Having regard to completions,

commitments and windfalls, the Council's estimate of the remaining housing requirement for the Plan Period is:

Table 1: Council's Estimate of Housing Requirement as presented to Local Plan Working Group on 10th July 2017

Plan period 1st April 2012 to 31 st March 2033	
Total Need 2012 -2033 (based on 953)	20,013
Completions 1st April 2012 to 31st March 2017	3,432
Unimplemented Permissions @ 1st April 2017	3,758*
Windfalls (from Year 4) @ 169 pa	2,873
Requirement Remaining	9,950

Source: Local Plan Working Group 10 July 2017

** We believe this to be a misprint*

- 5.6 At the Local Plan Working Group, members did not agree with the assessment of the housing requirement presented by officers. Members set the housing requirement at 867 dwellings per annum.

Pre-Publication Regulation 18 Consultation Draft Local Plan

- 5.7 The Pre-Publication Draft Plan proposes a 15-year plan period with a start date of 1st April 2017. This is a change from the report to the July 2017 LPWG that assumed a plan start date of 2012. This changes the basis of the calculation of the housing requirement. Completions are not included in the calculation of the housing requirement as the plan start date is essentially year 0 in the calculation. Instead the Council include an allowance for backlog (under provision) for the period 2012 to 2017. This has implications for the Green Belt boundary discussed later in this representation.
- 5.8 The Housing requirement in the Draft Plan is therefore based on an annual base requirement of 867 dwellings to which the council has added an additional 56 units per annum to account for undersupply in the period 2012 to 2017 giving a total requirement of 923 dwellings per annum

5.9 Taking account of these changes, the housing requirement as now proposed in the Draft Plan is:

Table 2 Pre-Publication Draft Regulation 18 Consultation Plan

Plan period 1st April 2017 to 31 st March 2033	
Total Need 2017 -2032/33 (based on 923 dwellings per annum 867 + 56))	13,845
Unimplemented Permissions @ 1st April 2017	3,578
Windfalls (from Year 4) @ 169 pa	1,859
Requirement to be provided through allocations	8,408

5.10 In addition to ensure what the Draft Plan considers to be enduring Green Belt Boundaries, additional land is allocated to meet the annual base requirement of 867 dwellings per annum for the 5-year period 2033 to 2038. For reasons we explain below, we consider this assessment of the Requirement remaining and the housing allocations set out in the Draft Plan to be inadequate for the following reasons:

- (i) The housing requirement is too low;
- (ii) The calculation of completions since 2012 is too high (i.e. the Councils estimate of backlog is too low)
- (iii) Outstanding commitments includes student housing that should be excluded
- (iv) The assumptions on windfalls are questionable and should not be treated as a component of the Plan

The Housing requirement

5.11 In our representations on the Preferred Sites Consultation September 2016, we included an Assessment of Housing Need prepared By Nathaniel Lichfield and Partners. That Assessment established the scale of need for housing in the City of York based upon a

range of housing, economic and demographic factors, trends and forecasts, based on the application of NLP's HEaDROOM framework.

- 5.12 The Assessment found that that the OAHN for the City of York was in the range of between 1,125 dpa and 1,255 dpa. The approach allowed for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to deliver affordable housing and support economic growth. Using this range would have ensured compliance with paragraph 47 of the Framework by significantly boosting the supply of housing. It would also have reflected paragraph 19 of the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.
- 5.13 In the 12-month period since our previous representations, the Government has published a consultation document on a methodology for assessing housing need that every Local Planning Authority would have to use when preparing a Local Plan. The methodology uses the projections of household growth as the demographic baseline for every local authority area. To this is added an adjustment to take account of market signals in house prices. Along with the Consultation Paper the Government included a calculation of the housing requirement for each local authority in the country. The calculation for York was a housing requirement of 1,070 dwellings per annum. The consultation paper explains that this should be treated as the starting point for assessing the housing requirement.
- 5.14 Taking a robust and conservative approach, the Government's figure of 1,070 dwellings per annum is therefore used in our assessment of the housing requirement for the Local Plan period.

(i) Calculation of completions - Backlog

- 5.15 The Council have underestimated the scale of the backlog and the Council's annual allowance of 56 dwellings included for backlog, amounting to 840 over the 15-year plan Period, is too low. To calculate the backlog, our assessment uses the figure of 953 as this is the housing requirement figure recommend by the Council's independent Consultants, G L Hearn for the period from 2012 in the report to the July 2017 LPWG.

- 5.16 The Local Plan must demonstrate it can provide deliverable sites for the 5-year tranches within the plan period. Government guidance advises that the calculation of the 5-year supply must take account of any shortfall from previous years. How far back the shortfall should be included is a matter of judgement. There is a point at which unformed households from previous years have been permanently displaced and therefore the need to accommodate them has passed. For the purpose of this calculation, and for some degree of convenience, the period from 2012 will be used as the basis of calculating the backlog.
- 5.17 Housing completion data contained within the Council's Annual Housing Monitoring Updates revealed that after many years of under provision, completion figures for the year 2015/16 suggested a surplus. However, the completion figure of 1,121 for 2015/16 must be treated with some caution as it includes 579 purpose built student accommodation units (Source: Councils Housing Monitoring Update for Monitoring Year 2015/16). Likewise, the completions figure of 977 for 2016/17 must be adjusted to exclude 152 student units.
- 5.18 The Council have included the student units in their completion and commitments figures based on the definition of dwelling units used in the DCLG General Definition of Housing Terms. However, this is a misreading of the definition which excludes communal establishments from being counted in the **overall housing supply statistics**, but adds that all student accommodation whether it consists of communal halls of residence or self-contained dwellings, on or off campus, can be included towards the **housing provision** in local development plans. Government guidance (which is more recent than the DCLG dwelling definition) is that student accommodation units can only be included within the housing supply "*...based on the amount of accommodation it releases in the housing market.*" (Planning Practice Guidance Reference ID: 3-038-20140306).
- 5.19 The Council have not produced any evidence to demonstrate how market housing supply has been increased by students transferring from traditional private sector shared housing. Indeed, the available evidence presented in the City of York Council Strategic Housing Market Assessment June 2016 is that new purpose-built student

accommodation has not displaced students from market or family housing. Paragraph 10.67 of the SHMA states:

We have undertaken some qualitative research on the student housing market. This revealed there was an increase in capacity as new purpose-built accommodation has been built on and off campus. However, it was discovered that this did not reduce demand for traditional private sector shared housing.

- 5.20 In addition, the Council has not demonstrated that students form part of the objectively assessed housing need nor demonstrated that new student housing accommodation would contribute towards meeting the housing requirement.
- 5.21 Furthermore, case law has established that in these circumstances purpose built student accommodation cannot count towards the housing supply *Exeter City Council v Secretary of State for Communities and Local Government, Waddeton Park Limited, The R B Nelder Trust. Case No: CO/5738/2104.*
- 5.22 Removing these 579 student units from the completions data reduces the completions for 2015/16 to 542. Likewise removing the 152 student units from 2016/17 data reduces the completions for that year to 825. These are the figures used in our calculation of the backlog.

Table 3 Housing completion backlog for the period 2012-2017

Year	Actual completions	Less student units	Net C3 Dwelling units	SHMA recommended figure	Backlog/ Surplus
2012/13	482	0	482	953	-471
2013/14	345	0	345	953	-608
2014/15	507	0	507	953	-446
2015/16	1121	579	542	953	-411
2016/17	977	152	825	953	-128
Total	3,432	731	2,701	3,812	-1,936

(iii) **Commitments**

5.23 We have obtained a list of the planning permissions that make up the Council's estimate of un-implemented planning permissions. The figure of 3,578 includes 542 student units which, for the reasons stated above should not be included in the housing provision figures. This reduces the commitments figure to 3,036. A further discount of 10% should be applied to account for non-implementation of a proportion of these commitments, giving a more robust figure of 2,732 dwellings for outstanding commitments.

(iv) ***Windfalls***

5.24 The Council's assessment of housing provision includes an allowance for 169 windfalls per annum from year 4 of the plan – 1,859 units in total. Guidance in paragraph 48 of the NPPF is that windfalls can be included in the calculation of five-year supply, i.e. not as a source of housing supply across the plan period. This is because the supply of windfalls is variable and including it across the plan period does not provide the certainty of delivery compared with actual allocations. In addition, once the plan is adopted and housing allocations confirmed, the pressure to deliver housing through windfalls should decrease. Other Authorities, most recently Scarborough Borough Council, have adopted this approach whereby a windfall allowance is identified across the plan period but treated as a flexibility allowance to the allocations and not included in the housing provision. The Scarborough Local Plan Inspector has endorsed this approach.

Meeting housing demand and delivery targets

5.25 It is envisaged that a high proportion of the total number of dwellings to be delivered over the plan period will be derived from the 19 strategic sites identified within the Consultation Draft. However, there is no real certainty over the rate of delivery that can be achieved on some of these sites.

5.26 For example, Strategic Site ST1 (British Sugar) remains undeveloped despite having lain vacant and derelict since 2006. A planning application for a scheme of 1,100 dwellings was refused in October 2017. Development can only commence following a 3-year scheme of remediation. Allowing for a 2-year lead in following remediation, the first

completions on this site are not likely until 2023. The difficulty in bringing forward Strategic Site ST5 (York Central) is also well documented. The draft plan envisages 1,500 new houses being built on this site within in the period 1 to 21 years and at a projected density which ranges between 95 – 125 homes to the hectare. In line with the consultation document prepared for this site in early 2016, the projected densities are to be achieved through the provision of high rise (up to 8 storeys) apartment blocks.

- 5.27 With the Plan placing such a reliance on the capability of York Central to deliver high density development, the impact of high rise blocks on the historic setting of the city is an important consideration at this consultation stage. Paragraph 154 of the NPPF advises that Local Plans should be aspirational but realistic. They should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan. Therefore, until the allocation at York Central is supported by this level analysis, the projected housing yields for the site are considered to be purely aspirational.
- 5.28 There is also a question over how the supply of new homes at York Central will be matched with (the existing) housing demand. The 2016 SHMA for York reveals that the highest level of demand for market housing in the city is for 2 and 3-bedroom family homes. There is also significant unmet demand for bungalows amongst retirees seeking to downsize.
- 5.29 According to local letting agents surveyed for the SHMA, the crucial gap in supply is for good quality family homes. However, there is no perceived shortage of flats or apartments. Based on projections of additional households between the years of 2017 and 2032, the SHMA also indicates that greatest need for market dwellings is for 3-bedroom homes, at 39.2% of additional dwellings. This is followed by two-bedroom homes (37.7%) and 4-bedroom homes (16.5%). The need for 1-bedroom dwellings is comparatively low at 6.6%.

5.30 Whereas the Plan appears to be reliant on the higher densities provided by apartment living to make a significant contribution to the overall supply of housing, the evidence presented in the SHMA suggests that this is not where the main area of demand lies.

5.31 To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, the advice contained within paragraph 50 of the NPPF is that local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

5.32 In its current form, it is not clear how the Preferred Sites and their associated yields will address this requirement. In addition, the Council powers to secure the proposed densities are weak.

Conclusion on Housing requirement

5.33 Taking all the above factors into account, our estimate of the housing requirement compared with the Councils estimate as set out in paragraph 4.5 above is:

Table 4 Galtres Garden Village Estimate of Housing Requirement 2017-2033

Plan period 1st April 2017 to 31 st March 2033	Councils Estimate	SBO Lands Estimate Estimate
Total Need 2017-2033 (based on 867)	13005 (based on 867per annum)	16,050 (based on 1,070 per annum)
Backlog 2012 to 2017	840	1,936
Gross Requirement	13,845	17,986
Unimplemented Permissions @ 1st April 2016*	3,578	2,732
Windfalls (from Year 4) @ 169pa	1,859	0
Net Requirement	8,408	15,254

5.34 It is evident from this analysis that the Council's estimate of the housing requirement is significantly flawed and consequently significant additional allocations are required to address that shortfall.

5.35 In addition to meeting housing land requirement during the plan period, the Council also have to exclude land from the Green Belt for development beyond the plan period to ensure green belt boundaries will endure for some time beyond the Plan Period. The Council propose to meet this objective by allocating housing land for the period 2033 to 2038. Using the Councils baseline requirement figure of 867, the requirement for the 5-year period beyond 2033 would be 4,335 dwellings. Using the Government's figure of 1,070 the requirement would be 5,350.

5.36 We have taken the table of proposed allocations from table 5.1 of the Draft Plan. From that we have applied what we believe to be reasonable assumptions about the potential delivery from each site based on the information provided in the table and other sources (See Appendix 2). For example, we assume no delivery from the British Sugar site in the first 5 years of the plan for the reasons outlined in paragraph 4.26 above.

5.37 The allocations in table 5.1 of the Draft Plan amount to 14,863 dwellings for the 20-year period 2017 to 2038. Our analysis of the allocations indicates the following rates of delivery:

Table 5 Anticipated rates of housing delivery from Proposed Allocations

Timescale	Units	Units
Years 1-5	2,633	
Years 6-10	5,228	
Years 11 to 15	4,146	
Sub-total 15 year plan period		12,007
Years 16 to 21		2,517
Total 20 year period		14,524*

*Does not add to 14,863 as site ST15 delivery extends beyond 2038

5.38 This simple analysis demonstrates that for the 15 year Plan period the housing provision is over 3,000 dwellings short of our estimated housing requirement of 15,254 dwellings. For the 5-year period following the Plan period, the shortfall is 1,782 using the Councils figures or 2,797 short using our figures

5.39 What this illustrates is that the Council cannot demonstrate that Green Belt boundaries will endure beyond the Plan period thus failing one of the fundamental objectives of Green Belt Policy in the NPPF. Without additional housing land allocations, the Green Belt boundaries cannot be confirmed.

5.40 On the previous occasions that Planning Inspectors have considered the Council's Draft Development Plan for the city in 2000 and 2010, each Inspector has concluded that the Green Belt could not be confirmed due to inadequate development land being identified.

5 Year Supply

5.41 Our analysis above demonstrates that the housing land requirement in the for the 15-year plan period is significantly flawed. Of equal concern is the lack of supply in the early years of the plan required to “...*significantly boost the supply of housing...*”.

5.42 Our assessment of the 5-year supply is set out in Table 5 below and is in line with generally accepted practice. The steps in our assessment are:

- I. To provide a fair indication of the range of what the 5-year housing land supply position might be, we use both the Council's housing requirement figure of 867 dwellings per annum and our assessment of the annual requirement of 1,070 dwellings per annum to arrive at a five-year requirement.
- II. We then add the undersupply assessed against each of the housing requirement figures for the period of 2017 to 2016. This is known as the “Sedgefield Method” of calculating the 5-year supply and assumes any undersupply is made up in the 5-year calculation period and not spread over the remaining years of the Local Plan. This is the approach favoured by National Planning Guidance which recommends:

Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible.
(NPPG Paragraph: 035 Reference ID: 3-035-20140306)

- III. As there has, by any measure, been a period of persistent under-delivery of housing in York for the past 9 years, we add the 20% buffer recommended in paragraph 47 of the NPPF.
- IV. We take our adjusted calculation of unimplemented permissions of 2,732 (Paragraph 4.23 above) above.

5.43 x Our assessment of 5-year supply is set out in Table 5 below. We provide 2 variants of the 5-year supply:

- In the first calculation, our assessment assumes the supply comprises just the existing commitments. That gives a five-year supply of 1.56 years based on the Government's estimate of an annual housing requirement need of 1,070 dwellings per annum and our assumptions on backlog and commitments.
- The 5-year supply using the Council's housing requirement of 867 and their assumption on backlog, commitments and windfall is 3 years.

5.44 In the second calculation we have included our estimate of supply arising from the proposed allocations from Table 5 above:

- Our estimate of supply from allocated sites in the first 5 years of the Plan is 2,633 dwellings. When this is added to the assumptions about the supply from existing commitments (3,578 dwellings) the five years supply using the Council figures is 5.13 years and using our figure for commitments (2,732 dwellings), 3.06 years.
- The scale of the deficit in land supply identified by the 5-year calculation is significant not only in terms of the need to identify more land but also in terms of the longevity of undersupply. By any reasonable assessment, there has been a significant shortfall in the provision of housing every year since 2007/08 – 10 years in all.

Table 6: Assessment of 5-year land supply

		Assessment using Councils Housing requirement of 867		Assessment using Government Housing requirement of 1,070	
A	Requirement	(5x867)	4335	(5x1070)	5,350
B	Plus Shortfall 2012-2017		840		1,936
C			5,175		7,286
D	20% buffer	(C x .2)	1,035	(C x .2)	1,457
E	Total 5-year Requirement	C+D	6,210	C+D	8,743
F	Annual requirement	(E ÷ 5)	1,242	(E ÷ 5)	1,749
G	Supply (Commitments)		3,578		2,732
H	Windfall		169		0
I	5-year supply	(G+H) ÷ F	3.0 years		1.56 years
J	Allocations Years 1 to 5		2,633		2,633
K	Potential supply	G+H+J	6,380		5,527
L	Potential 5-year supply	(K ÷ F)	5.13 years		3.06 years

5.45 The calculation above demonstrates the high level of latent and unmet demand in York and the precarious nature of the housing supply in York. In order to achieve a balance between the housing requirement and housing supply the requirement would have to fall significantly. On the basis of the background evidence prepared for the Local Plan, this scenario is highly unlikely

5.46 Alternatively, the requirement / supply balance could be achieved by a rapid increase in the supply of deliverable sites in the 5-year period. Again, on the basis of the evidence available this is less likely. This is because a significant proportion of the draft housing allocations are large sites that will take several years before they deliver a significant

increase in housing supply. Providing additional allocations that include sites that can deliver houses in the first 5 years of the plan period will greatly assist in addressing that shortfall

5.47 In addition to the points made above, it is anticipated that the consultation process for the Draft Local Plan will establish that a number of sites allocated for housing are not viable or deliverable within the plan period. Consequently, alternative sites will need to be allocated by the Council in order to meet its housing targets for the Plan period.

5.48 It is considered that the site should be brought forward for allocation to assist in meeting these housing targets. The proposed site is viable and deliverable, and the owners are committed to making the site available for development in the short to medium term.

Suitability for housing

5.49 The site is in a highly sustainable location and this is confirmed by the Council's analysis of the suitability of the adjacent garden centre for residential development. It is within 10-15 minutes' walk (1 km), crossing by a dedicated traffic light crossing point of a range of local amenities and services such as a convenience store, healthcare services, church and community hall and could be accessed from 2 points. The proximity of the site to Upper Poppleton enables convenient access to most services via sustainable modes of transport.

5.50 The Poppleton Bar Park & Ride facility opposite the site provides frequent and direct access to the centre of York. Poppleton Rail Station, which offers connections to Leeds and York stations, is 5 minutes' walk from the site (less than 400m). The site is well positioned to take advantage of major roads as it is very close to the A59 and the York Ring Road A1237.

5.51 The site is currently accessed from two points along Northfield Lane. There are no other access or technical issues which would preclude development.

5.52 The site is well screened by tall mature hedgerows and trees on all four sides and cannot be seen from the A59 due to the Park and Ride and trees in the landscape. This effectively conceals views of the site and reduces noise from passing traffic.

- 5.53 An Ecological Appraisal of the site was undertaken in 2015 by Brooks Ecological (Appendix 3). The site predominantly consists of intensively managed arable farmland which is of low ecological value. The level of bat activity in the area is low and eDNA testing has confirmed the absence of great crested newts.
- 5.54 The adjacent woodland is also of limited nature conservation value. Further information received from Brooks Ecological indicates that the ecological value of the woodland is limited by its isolation from the wider landscape, regular disturbance by walkers, the young age of the trees and the lack of significant ground flora or understorey. It does not qualify as a 'habitat of principle importance' under the NERC act of 2006.

Suitability for Employment Use

- 5.55 The site is located in what could be described as an area of mixed uses in which employment (B1) use predominates. The site is opposite Northminster Business Park and adjacent Oakwood Business Park to the south.
- 5.56 The suitability of the site for employment use was considered through the Council's Site Selection Paper (June 2013) that formed the basis of the Preferred Options Draft Local Plan (June 2013). Suitability for employment use was assessed against 4 criteria. The site passed Criteria 1,2,3 (It was not wholly within Historic Character and Setting, Nature conservation designations, Regional Green Corridor, Ancient Woodlands, Functional Floodplain, Flood Zone a or open space designation) and it also passed criteria 4 for employment purposes (access to services).
- 5.57 All sites which passed the first 4 criteria as having suitability for employment were then passed to consultants Drivers Jonas Deloitte for further analysis and to develop a shortlist of those with the greatest potential to fill the current Employment demand for uses B1, B2, B8. The comments on the site made by Drivers Jonas Deloitte were:

This site would form a natural part of the Northminster business Park. The site would form part of the wider parcel of land to accommodate a range of B class uses (B1 (a), B1(c) B2 and B8) and benefits from an established location, existing infrastructure and direct access to the A59 and wider road network. Ancillary uses C1/A3/A4/D2 could also be

included within this new Business Park as it is developed over the plan period. Poppleton railway station is a 10 minute walk and connectivity improvements could be delivered with early phases of development, however the site does provide a natural buffer between Northminster Business Park and the A1237. On balance, this site may be better left undeveloped to provide an appropriate buffer between future development and the A1237 and expansion focused towards the west of site 684

- 5.58 The site was not shortlisted for employment use or carried forward for further employment analysis. The proposed site was therefore not one of the Council's preferred shortlisted BI employment sites.
- 5.59 The decision not to allocate the site for employment purposes seems based solely on the comment that the site would be a buffer between future development at Northminster Business Park and the ring road. However, the site is large enough to accommodate employment development and still maintain a buffer with the ring road. The decision to allocate the Poppleton Garden centre which directly adjoins the A59 for residential use and no further from the ring road than the subject site demonstrates this issue is not a barrier to the allocation of the subject site.
- 5.60 Furthermore, the recommendation in the Drivers Jonas Analysis did not take account of the depth of the woodland screen along the east side, none of the change in level between the ring road and the Site which completely screens it from the road. More distant views from Knapton to the east are also totally obscured. The facts on the ground show that the need to keep the land open as a buffer between the ring road and Northminster is completely unjustified.

Green Belt Appraisal

- 5.61 In order to determine whether it is appropriate to include the site in the York Green Belt, the site is assessed against the 5 purposes of the Green Belt set out in Paragraph 79 as follows:

1. To check the unrestricted sprawl of large built-up areas

Much of the surrounding area has already been developed and the large garden centre and parking area adjacent has been proposed for residential development in the Local Plan (Site H57). The site therefore does not perform a role in preventing sprawl.

2. To prevent neighbouring towns merging into one another

There is development in the surrounding area as detailed above. The site does not play a role in preventing the coalescence of York with Upper Poppleton.

3. To assist in safeguarding the countryside from encroachment

The site cannot be considered to be in the open countryside as it is already built up and is adjacent to other developed sites. The proposed allocations of sites H57 and ST19 would further urbanise the site and its surroundings.

4. To preserve the setting and special character of historic towns

The application site clearly has no impact the special character and setting of York, given its distance from York City Centre and the absence of views of the Minster, as well as the existing development around the site.

5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land

5.62 There are few areas of York in need of regeneration. Most, if not all, of the few remaining brownfield sites have planning applications pending or redevelopment proposals outstanding. The scale of the potential development on the site will have no impact on the viability of remaining brownfield sites in the City.

5.63 Based on the above assessment, the site does not perform any of the five roles of the Green Belt. Technically, the site serves no obvious Green Belt function in relation to the historic setting of the City and cannot be considered open.

5.64 Paragraph 79 of the NPPF defines the essential characteristics of Green Belts as their openness and permanence. The NPPF is clear that land which is unnecessary to keep permanently open should not be included in the Green Belt (Para 85). For the reasons

described above, this site is not open and therefore cannot contribute to the openness of the Green Belt. The proposed residential and employment allocations around the site indicate that it will be even less open in the future. It is therefore argued that the concepts of permanence and openness are not relevant to this site and that it does not meet the criteria for inclusion in Green Belt as set out in Paragraph 85.

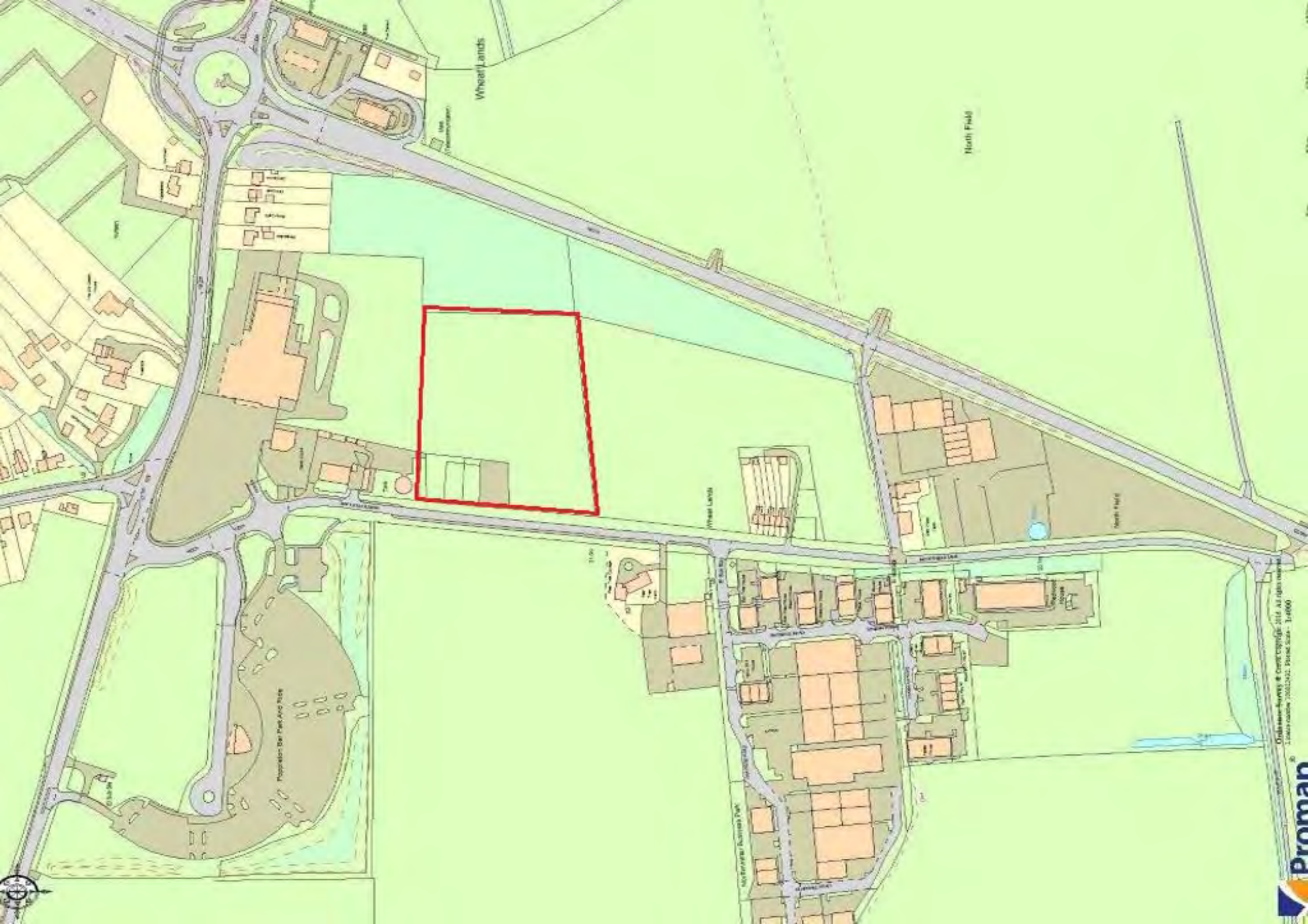
- 5.65 Paragraph 85 states that Green Belt boundaries should be defined clearly using physical features that are readily recognisable and likely to be permanent. The land subject to this representation has become a land-locked area of open land with no direct connection to the remainder of the proposed green belt. It is surrounded by existing development to the north and south, and partly to the west, and by proposed development allocations to the remainder of the west/south-west.
- 5.66 To the east lies the York Outer Ring Road, which does have a larger tract of proposed green belt on its eastern side opposite the site, but the mature tree belt on the site's eastern boundary effectively disconnects the site from the proposed green belt to the east, a severance which is emphasised by the Ring Road. It is now argued that the Ring Road is a more effective and permanent boundary for the proposed green belt and that the representation land should be excluded
- 5.67 The site would not serve any of the purposes of the Green Belt or resemble the type of site with which Green Belt status is generally associated. Northfield Lane, which runs to the west of the site, constitutes a far more defensible physical boundary for the Green Belt.

6.0 CONCLUSIONS

- 6.1 The site performs none of the roles of the Green Belt as defined in the NPPF and there has been no proper justification in planning terms of including the site in the Green Belt.
- 6.2 The site is in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. It would offer residents or employees a high level of amenity as it is well screened by hedgerows.
- 6.3 The housing allocations proposed in the Pre-Publication Draft Plan are wholly inadequate to meet the housing needs of the district. Without considerably more housing land the objectively assessed housing needs of the City will not be met and the Local Plan will be found unsound.
- 6.4 The proposed site is viable, deliverable and sustainable. In light of the current shortage of housing in York and the proposed allocation of the Garden Centre for residential development, it is considered that the site would make a greater contribution to the aims of the York Local Plan as a residential site than as an isolated and incongruous piece of the York Green Belt.
- 6.5 The site is also well related to existing employment land and was previously assessed as being suitable for employment use. The site would make a useful contribution to the employment offer in the City, increasing the range and quality of well-located sites available to indigenous business and inward investors.

Appendix I

Location Plan



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Appendix 2

Draft Local Plan Housing Allocations Development Trajectory

Ref	Site	Site Area	Yield	Timing	Density	Years 1 to 5	Years 6-10	Years 11-15	Years 16-21
H1	Former Gas Works, 24 Heworth Green (Phase 1)	2.87	271	Short Term (Years 1 -5)	94.43	100	171		
H1	Former Gas works, 24 Heworth Green (Phase 2)	0.67	65	Medium Term (Years 6-10)	97.01		65		
H3	Burnholme School	1.90	72	Short Term (Years 1 -5)	37.89	72			
H5	Lowfield School	3.64	162	Short to Medium term (Years 1 -10)	44.51	80	82		
H6	Land R/O The Square Tadcaster Road	1.53	0	Short to Medium Term (Years 1 -10)	0.00				
H7	Bootham Crescent	1.72	86	Short to Medium Term (Years 1 -10)	50.00	46	40		
H8	Askham Bar Park & Ride	1.57	60	Short Term (Years 1 -5)	38.22	60			
H10	The Barbican	0.96	187	Short Term (Years 1 -5)	194.79	187			
H20	Former Oakhaven EPH	0.33	56	Short Term (Years 1 -5)	169.70	56			
H22	Former Heworth Lighthouse	0.29	15	Short Term (Years 1 -5)	51.72	15			
H23	Former Grove House EPH	0.25	11	Short Term (Years 1 -5)	44.00	11			
H29	Land at Moor Lane Copmanthorpe	2.65	88	Short to Medium Term (Years 1 -10)	33.21	48	40		
H31	Eastfield Lane Dunnington	2.51	76	Short to Medium Term (Years 1 -10)	30.28	40	36		
H38	Land RO Rufforth Primary School Rufforth	0.99	33	Short to Medium Term (Years 1 -10)	33.33		33		
H39	North of Church Lane Elvington	0.92	32	Short to Medium Term (Years 1 -10)	34.78		32		
H46	Land to North of Willow Bank and East of Haxby Road, New Earswick	2.74	104	Short to Medium Term (Years 1 -10)	37.96	60	44		
H52	Willow House EPH, Long Close Lane	0.20	15	Short Term (Years 1 -5)	75.00	15			
H53	Land at Knapton Village	0.33	4	Short Term	12.12	4			
H55	Land at Layerthorpe	0.20	20	Short Term (Years 1 -5)	100.00	20			
H56	Land at Hull Road	4.00	70	Short Term (Years 1 -5)	17.50	70			
H58	Clifton Without Primary School	0.70	25	Short Term (Years 1 -5)	35.71	25			
H59	Queen Elizabeth Barracks – Howard Road, Strensall	1.34	45	Short to Medium term (Years 1 -10)	33.58		45		
ST1	British Sugar/Manor School	46.30	1200	Lifetime of the Plan (Years 1-16)	25.92	0	600	600	
ST2	Former Civil Service Sports Ground Millfield Lane	10.40	266	Short to Medium Term (Years 1 -10)	25.58	166	100		
ST4	Land adj. Hull Road & Grimston Bar	7.54	211	Short to Medium Term (Years 1 -10)	27.98	111	100		
ST5	York Central	35.00	1500	Lifetime of the Plan and Post Plan period (Years 1-21)	42.86	0	500	500	500
ST7	Land East of Metcalfe Lane	34.50	845	Lifetime of the Plan (Years 1 -16)	24.49	200	295	350	
ST8	Land North of Monks Cross	39.50	968	Lifetime of the Plan (Years 1 -16)	24.51	250	300	418	
ST9	Land North of Haxby	35.00	735	Lifetime of the Plan (Years 1 -16)	21.00	150	285	300	
ST14	Land to West of Wigginton Road	55.00	1348	Lifetime of the Plan and Post Plan period (Years 1 -21)	25.16	200	400	400	348
ST15	Land to West of Elvington Lane	159.00	3339	Lifetime of the Plan and Post Plan period (Years 1 -21)	21.00	300	900	900	900
ST16	Terrys Extension Site – Terry's Clock Tower (Phase 1)	2.18	22	Short to Medium Term (Years 1-5)		22			
ST16	Terry's Extension Site – Terry's Car Park (Phase 2)		33	Short to Medium Term (Years 1 –10)			33		
ST16	Terry's Extension Site – Land to rear of Terry's Factory (Phase 3)		56	Short to Medium Term (Years 1 –10)			56		
ST17	Nestle South (Phase 1)	2.35	263	Short to Medium Term (Years 1 -10)	111.91	100	163		
ST17	Nestle South (Phase 2)	4.70	600	Medium to Long Term (Years 6 –15)	127.66		300	300	
ST31	Land to the South of Tadcaster Road, Copmanthorpe	8.10	158	Short to Medium Term (Years 1-10)	19.51	50	108		
ST32	Hungate (Phases 5+)	2.17	328	Short to Medium Term (Years 1-10)	151.15	128	200		
ST33	Station Yard, Wheldrake	6.00	147	Short to Medium Term (Years 1-10)	24.50	47	100		
ST35**	Queen Elizabeth Barracks, Strensall	28.80	578	Medium to Long Term (Years 6-15)	20.07		200	378	
ST36**	Imphal Barracks, Fulford Road	18.00	769	Post Plan period (Years 16-21)	42.72				769
		526.85	14863			2633	5228	4146	2517

Appendix 3

Ecology Report

Morning Eamonn / Naomi,

In response to your query regarding the ecological value of the woodland surveyed by Brooks Ecological in 2015 –

This area comprises a young, planted area of Broadleaf woodland, the value of which is limited by

- its isolated location in the wider landscape
- regular disturbance by walkers.
- Young age of the woodland
- lack of significant ground flora / understorey

It does not qualify as a 'habitat of principle importance' under the NERC act (2006).

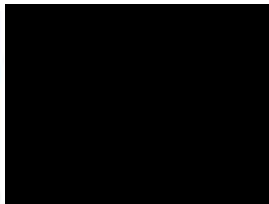
2015 survey did not identified evidence of any protected or otherwise notable species, and bat activity was found to be low.

The woodland is not considered a significant constraint to development – although in line with NPPF – if its loss is required, this should be mitigated for.

Let me know if you require further information.

Kind regards

Daniel Ross BSc (Hons)
Ecologist

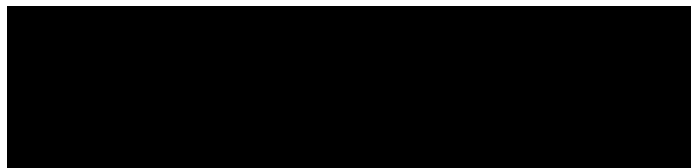




**Preliminary Ecological Appraisal
Land off Northfield Lane, Upper Poppleton**

Report reference: R-2217-01
June 2015

Report Title:	Preliminary Ecological Appraisal Land off Northfield Lane, Upper Poppleton
Report Reference:	R-2217-01
Written by	Daniel Ross BSc (Hons) GradCIEEM Assistant Ecologist
Technical review:	Sam Kitching BSc (Hons) Grad CIEEM Ecologist
QA review:	Robert Weston BSc(Hons) MSc MCIEEM Technical Director
Approved for issue	Robert Weston BSc(Hons) MSc MCIEEM Technical Director
Date	19.06.15



Summary Statement

Areas to be impacted by current proposals are of low ecological value, and their loss will have a negligible impact on the biodiversity of the area.

Summer Bat activity Transect in June 2015 confirmed low levels of activity of common species. Current proposals will likely have a negligible impact on local bat populations.

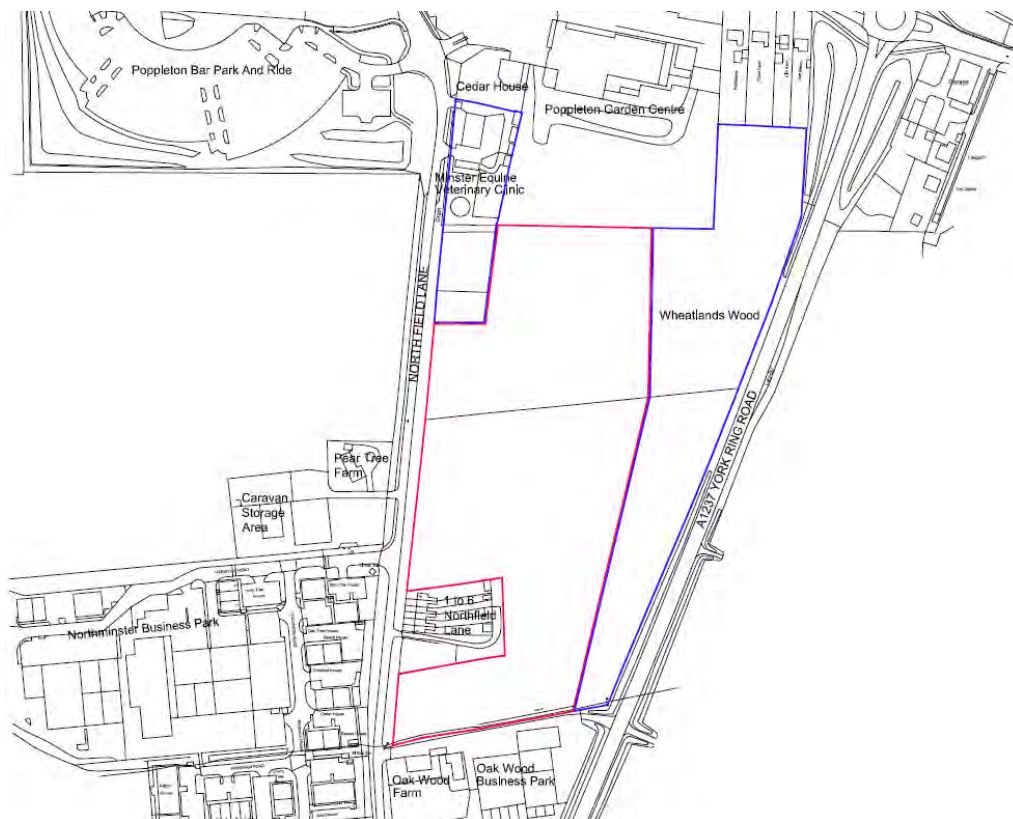
eDNA testing has confirmed the absence of great crested newt in a nearby pond to the south. No further survey effort is required with respect to great crested newt and their presence on site is considered very unlikely.

Recommendations are made for the enhancement of the site for wildlife.

Introduction

1. Brooks Ecological Ltd was commissioned by SBO Lands Ltd to carry out a Preliminary Ecological Appraisal of land off Northfield Lane, Upper Poppleton, York, North Yorkshire (SE 560 530).
2. The application site 'the site' encompasses two arable fields, to the south of the village of Upper Poppleton. The extent and location of the site is shown in Figure 1 below.

Figure 1 Survey site boundary (red line)



Proposals

3. The proposals plan (below) shows the conversion of the site into a touring caravan park. This will involve the incorporation of access road and amenities, and associated lighting.

Figure 2 Indicative proposals.



Site context

4. Aerial photographs published on commonly used websites were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This approach can be very useful in determining if a site is potentially a key part of a wider wildlife corridor or an important node of habitat in an otherwise ecologically poor landscape. It can also identify potentially important faunal habitat (in particular ponds) which could have a bearing on the ecology of the application site. Ponds may sometimes not be apparent on aerial photographs so we also refer to close detailed maps that identify all ponds issues and drains. We use Promap Street + scale maps for this purpose.
5. The site is located to the west of the city of York, surrounded in the immediate vicinity by -
 - An area of planted woodland bordering the site to the east (not in the application site, but covered by the scope of this report.)
 - built development along the southern boundary,
 - and a mixture of built development and arable farmland along the northern and western boundary.
6. The wider area comprises predominantly arable farmland to the west, with development associated with the western fringe of York found over arable fields to the east.

Wildlife corridors

7. The site is not connected to any strong wildlife corridors through the wider area. Movement of terrestrial wildlife to the north and east will be restricted by the A1237, and Roman Road (A59). Limited connectivity is apparent to the west, via arable field boundaries - however no significant valuable habitat is apparent in the wider area.

Water bodies

8. There are two water bodies apparent from mapping within 500m of the site shown on the figure below.

Figure 3 Local habitat / connectivity features



Figure 4 Ponds plan



- Pond 1 is located c.120m to the south within a motorhome storage compound –



Figure 5

View of off site pond located in motorhome storage c.120m to the south of the site (pond 1).

- Pond 2 is located c.250m to the south west of the site. This pond appears to form part of a drainage network and is pictured below. This pond is separated from the site by fields, recent development, and Northfield Lane.



Figure 6

View of off site pond (pond 2).

Statutory Designations

9. A search of the MAGIC (Multi-Agency Geographic Information for the Countryside) website was undertaken. The MAGIC site is a Geographical Information System that contains all statutory (e.g. Sites of Special Scientific Interest [SSSI's]) as well as many non-statutory listed habitats (e.g. ancient woodlands and grassland inventory sites). It is a valuable tool when considering the relationship of a potential development

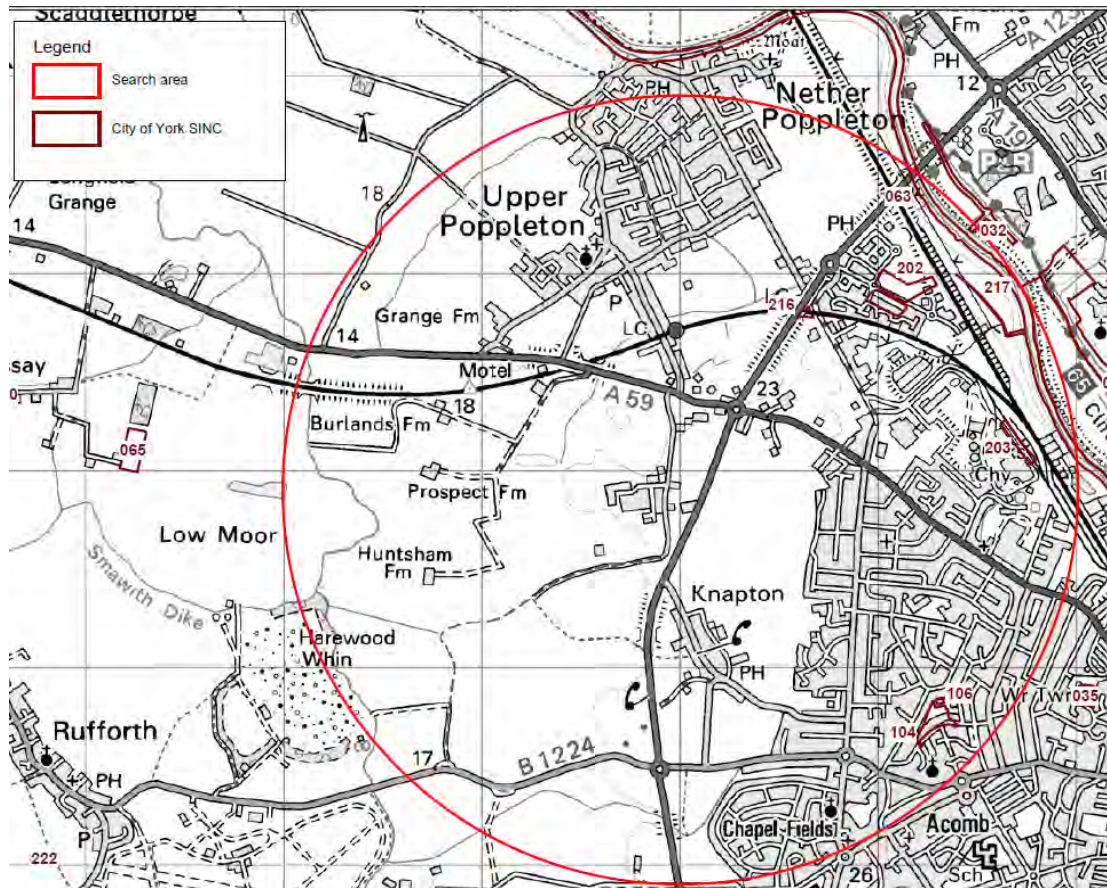
site with nearby important habitats. In addition information from the local record holders has been requested on locally designated sites.

10. A single statutory designation is found within 2km of the application site. This is 'Clifton Ings and Rawcliffe Meadows' - a Site of Special Scientific Interest (SSSI), located c.1.8km to the west. The application site is sufficiently separated from this designation, sharing no similar habitat. As such potential negative impacts are considered very unlikely.
11. The development site lies within the Impact Risk Zone (IRZ) of this SSSI. Local planning authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. The SSSI IRZs can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated.
12. In this instance the proposed development does not fall into one of the categories which trigger the need for consultation with natural England.

Non-Statutory Designations

13. North and East Yorkshire Ecological Data Centre (NEYEDC) has provided information on locally designated sites.
14. Nine Sites of Importance for Nature Conservation (SINC) are found within a 2km search radius. The closest of these is located c.820m to the north east of the site. None of the SINC's are considered to be within the zone of influence of the development, nor do they share any direct physical connection, thus the proposals will have a negligible impact upon them.

Figure 6 Locally designated sites provided by NEYEDC.



Extended Phase 1 Habitat Survey

Method

15. The survey was carried out on the 14th April 2015 and followed Phase 1 habitat survey methodology (JNCC, 1993). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2012).

Results

16. The site comprises two arable field separated and bordered by hedgerows and rank grass field margins. The site footprint is dominated by planted crops, and these will be the areas principally impacted by the proposed development.
17. The following habitats can be described within the application site and on its boundaries:
 - Arable Fields
 - Planted Broadleaf Woodland
 - Hedgerow & trees
 - Field margins.
 - Rank Grassland

Arable Fields

18. The majority of the site consists of planted cereal crop, which due to the application of herbicide, is devoid of any other significant vegetation.



Figure 7

View of southern most arable field looking south east from western boundary

Planted Broadleaf Woodland

19. Along the eastern boundary of the site is an area of young planted woodland which is managed for nature. A range of tree species are found here including common ash (*Fraxinus excelsior*), english oak (*Quercus robur*), wild cherry (*Prunus avium*) and field maple (*Acer campestre*). A number of shrub species are also found here including hawthorn (*Crataegus monogyna*), blackthorn (*Prunus spinosa*), guelder rose (*Viburnum opulus*) and hazel (*Corylus avellana*). Occasional areas of bramble (*Rubus fruticosus*) and nettle (*Urtica dioica*) scrub are also noted at points along the boundaries of this woodland.



Figure 8

View of young broadleaf woodland located along the sites eastern boundary.

20. Common grass species are found throughout this area, with more shaded areas, largeley devoid of vegetation. Species include perennial rye (*Lolium perenne*), cocksfoot (*Dactylis glomerata*) and fescues (*Festuca rubra* agg.), and a limited

range of common forbs such as creeping buttercup (*Ranunculus repens*), ribwort plantain (*Plantago lanceolata*), nettle (*Urtica dioica*), and ivy (*hedera helix*).

Hedgerow & trees

21. Hedgerow on site is species poor, being comprised of predominantly hawthorn (*Crataegus monogyna*) with occasional blackthorn alder (*Alnus glutinosa*) and sycamore (*Acer pseudoplatanus*). Much of the hedgerow appears to be infrequently managed, reaching a height of around c.3m, and width of c.2.5m.



Figure 9

View of the hawthorn hedgerow typical of the site.

22. Along the southern boundary, standards within the hawthorn hedgerow include Lombardy poplar (*Populus nigra 'italica'*), Oak (*Quercus sp.*), silver birch (*Betula pendula*) and sycamore (*acer psuedoplatanus*). Around gardens at the south west of the site species such as *Forsythia* are also found within hedgerow.
23. A single length of Leyland cypress (*Cupressocyparis leylandii*) runs along the northern part of the eastern boundary.
24. Along the western boundary along the road site, there is a line of mature balsam poplar (*Populus balsamifera*) with an understorey of elder (*Sambucus nigra*).



Figure 10

Looking south along the sites western boundary at line of balsam poplar.

Rank Grassland

- 25. An area of grassland is located in-between two sections of the planted woodland which runs along the eastern boundary of the application site. Common grass species such as cocksfoot (*Dactylis glomerata*) and Yorkshire fog (*Holcus lanatus*) dominate here, along with common forb species found elsewhere on site, such as creeping thistle (*Cirsium arvense*), white clover (*Trifolium repens*), Ribwort plantain (*Plantago lanceolata*), knapweed (*Centaurea nigra*), field horsetail (*Equisetum arvense*), as well as yarrow (*Achillea millefolium*), cowslip (*Primula veris*) and common sorrel (*Rumex acetosa*).
- 26. A similar composition of species make up the rank grass borders surrounding the fields with large amount of nettle (*Urtica dioica*) dominating in areas.



Figure 11

View of area of rank grassland between sections of broadleaf woodland off the sites northern boundary.



Figure 12

Example of rank grass boundary of arable fields.

Faunal appraisal

27. This section first looks at the types of habitat found on site or within the sphere of influence of potential development, then considers whether these could support protected , UKBAP or Local BAP (LBAP) priority species (referred to collectively as 'notable species'). A full list of LBAP priority species are provided in appendices.
28. Records of notable species supplied from a 2km area of search by North & East Yorkshire Ecological Data Centre (NEYEDC) are used to inform this appraisal.

Bats

Roosting

29. No built structures are located on site, and the trees on site lack the suitable features to support roosting bats.

Foraging

30. In the context of the wider area which is largely devoid of significant foraging resources, the hedgerow on site, and the woodland along its eastern boundary represent relatively high value foraging habitat. The current proposals detail the removal of part of the hedgerow which runs through the centre of the site, and additionally could result in increased light spillage onto the woodland boundary, and hedgerow / tree lines which surround the site.

31. Further bat survey is recommended in order to establish a baseline for bat activity on site, and therefore determine the likely impact of the proposals on local bat populations. The results of which are presented below

Method

32. The objectives of these surveys are to characterise how local bat populations currently make use of the site, so that an accurate assessment of the potential impacts of development on the site could be made. Surveys therefore set out to collect the following data (BCT survey guidelines 2012):
- The assemblage of bat species using the site;
 - The relative frequency with which the site is used by different species;
 - The nature of activity for different bat species, for example foraging, commuting and roosting.
33. The transect began around sunset and continued up to 2 hours after when all bats were thought to have emerged, and thus were actively foraging and commuting. Conditions and dates are summarised in table1 below.
34. The transect was walked by a single surveyor, equipped with a heterodyne detector and recording device (Anabat Express). Notes taken during the survey were then used to produce the activity 'heat map' seen in the below figure. Activity was split into three categories; low irregular, low regular and medium regular. Low activity was classified as up to 2 individual bats, with medium being anything over 2.

Table 1: Survey summary

Survey	Date	Sunset	Weather	Invertebrate activity
Summer	18.06.15	20:46	13 °C, overcast, light wind	High

35. Surveys were directed by Rob Weston BSc (Hons) MSc MIEEM. Rob has many years experience of carrying out bat surveys in a professional capacity and is registered to use the new Class Survey Licence WML CL18 (Bat Survey Level 2). He is a member of the West Yorkshire Bat Group, the Bat Conservation Trust and runs training in bat surveys for student ecologists.

Results

36. Transect started on the western boundary of the site and followed a route (outlined in the figure below) which was repeated twice, and encompassed the entire application site, and the off site woodland to the west.
37. Bat activity was low during the survey, with only common pipistrelle being recorded, and only a single individual bat noted at any one time. The low foraging activity was focused around the woodland edge at the east of the site, and the hedgerow which intersects the two arable fields. Two incidences were noted of common pipistrelle bats flying across the centre of the site.

Figure 13 Bat transect summary



Static monitoring

38. At the time of writing this report the data from the period of static monitoring had not yet been returned. However judging from the results of the transect it is not expected that the data will show anything other than common species at low levels. Upon receipt of the monitoring data, an addendum will be issued.

Amphibians

39. The site is dominated by arable fields which represents relatively low value habitat for this group.
40. A single record of the protected great crested newt (GCN) has been returned from a location c.1.8km to the north east of the site. Although this record itself is disconnected from the site by busy roads and development, it does indicate that there is a population of this species in the wider area.
41. Both pond 1 & 2 were surveyed for GCN by 'Halcrow Group Limited' as part of a planning application (09/02294/FULM) for the Poppleton Park & Ride site. These surveys - now in the public domain - conducted in April / May 2008 confirmed the likely absence of GCN.
42. Given the time which has elapsed since these surveys, and the presence of GCN populations in the wider area, it is possible that GCN may have populated these ponds in the interim period. In order to confirm the continued absence of GCN, and ensure the proposed development does not impact on GCN, the closer and more suitable of these two ponds (pond 1) has been subject to further survey in the form of eDNA testing. These results were returned as negative, confirming the continued absence of GCN in pond 1. eDNA analysis results are supplied in Appendix 2.

Birds

43. Records were returned for a range of species, none of which are likely to depend on the site.
44. All significant vegetation, such as hedgerows and trees have the potential to support nesting birds, and standard precautions should be taken should any of this vegetation be removed as part of the development.

Reptiles

45. The site represents low value habitat for this group, and does not form part of any habitat corridors through the wider area which could facilitate the dispersal of

reptiles. Additionally, no records of reptiles were returned from within 2km and their presence on site is considered unlikely.

Terrestrial mammals

46. The majority of the site does not represent valuable habitat for any protected or otherwise notable mammal species.
47. Although records indicate badger populations as being present in the wider area, no evidence of badger activity could be found within suitable habitat on site. The woodland along the eastern boundary represents relatively high value habitat, however it is disconnected from other areas of suitable habitat by large swathes of arable farmland and roads, and will not be directly impacted by current proposals.

Invasive Species

48. A number of non-native plant species have become established in UK ecosystems. In many cases these non-native flora are able to out-compete native species resulting in a detrimental impact on natives, and the faunal groups which rely on them. These species are listed on Schedule 9 of the Wildlife and Countryside Act (1981, as amended) and as such, it constitutes an offence to cause or allow their spread in the wild.
49. No species listed on this schedule were found on the site during the survey.

Evaluation

50. In evaluating the site the ecologist will take into account a number of factors in combination, such as;
- the baseline presented above,
 - the site's position in the local landscape,
 - its current management and
 - its size, rarity or threats to its integrity.
51. There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP (see appendices) and UK BAP to determine if the site supports any Priority habitats or presents any opportunities in this respect.
52. The assessment of impacts considers the proposals illustrated in Figure 2 from which potential effects include:
- Site preparation including vegetation and habitat removal
 - Direct effects on significant faunal groups or protected species
 - Effects on adjacent habitats or species such as disturbance, pollution and severance
 - Operation effects on wildlife such as noise and light disturbance

On site habitats

53. Current proposals will impact predominantly on intensively managed arable farmland which is of low ecological value. The change in use of this land will be of low ecological significance.
54. The young woodland which borders the site to the east represents higher value habitat which should, and based on current proposals, will be retained.
55. Although species poor, the hedgerow on site represents higher value habitat which also provides a connective feature across the site, and through the wider area. Current proposals see the majority of this hedgerow retained, however small areas will be lost in order to create access roads across the site. The loss of these areas should be easily mitigated for by the planting of species rich hedgerow elsewhere on site, this will ensure no net loss of this UK BAP habitat.

On site fauna

Bats

56. In order to determine the level of usage of the site by bats, a summer activity transect has been conducted in the peak activity season, in order to determine a baseline for foraging activity on the site, and determine the likely impact of the current proposals on local bat populations. The results from this survey are presented below.
57. Bat activity has been found to be low on the site during the peak activity season. With this in mind and based on the current proposals, the development will likely only have a negligible impact on local bat populations. Any potential impacts arising from increased lighting of the hedgerow and woodland boundaries can easily be negated by directing artificial lighting downwards, and away from these features.
58. Currently the proposals see a small section of the hedgerow being lost to facilitate access roads. Based on the results of the transect it is considered that the hedge does not represent an important commuting corridor, and the loss of the scale described in the proposals will have no significant impact on the foraging value of this feature.
59. A suitable lighting scheme, which directs all artificial lighting (i.e. flood lighting used during the construction phase, new street lighting, security lights) away from the woodland and boundary hedgerows. Any permanent lighting installed within close proximity to the woodland would ideally be motion activated and set to a short timer. No lighting should be installed within the woodland.

Nesting birds

60. All significant vegetation, i.e. trees, shrubs, scrub and hedgerows, found on site has the potential to support common garden birds during the nesting period (March-August).
61. To prevent the proposed works impacting on nesting birds any clearance of vegetation will need to be undertaken outside of the breeding bird season which is 1st March – 31st August inclusive. Any clearance that is required during the breeding bird season should be preceded by a nesting bird survey to ensure that the Wildlife and Countryside Act (1981) is not contravened through the destruction of nests and that any active nests are identified and adequately protected during the construction phase of the development.

Off site

62. Given the nature of the proposals, the development is very unlikely to have any implications for any locally designated or statutory sites in the wider area, which share no direct connections to the application site.

Enhancement

63. In line with planning guidance outlined in the National Planning Policy Framework (NPPF) development should take account of the value of ecosystem services and enhance ecological networks.
- The off site woodland to the west is already subject to successful management as a nature woodland. The ongoing management of this area post development is likely and will continue to provide a valuable habitat in a predominantly arable landscape.
 - Useful wildlife habitat could be provided in the form of bat boxes, nesting boxes and deadwood and rubble piles. These would all be targeted at the periphery of the site.
 - Much of the site will comprise amenity grassland. This would benefit from seeding and management as wildflower grassland, with a seed mix which would allow it to fulfil its function as amenity space, whilst also provide a valuable foraging resource for wildlife. An example of a suitable seed mix for this location would be '*EL1 flowering lawn mixture*'*.

*available via Emorsgate Seeds <http://wildseed.co.uk/mixtures/view/56/flowering-lawn-mixture>

References

- IEA. (1995). *Guidelines for Baseline Ecological Assessment*. Chapman and Hall
- Nature Conservation Committee (1990). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit*. NCC
- CIEEM. (2013). *Guidelines for Preliminary Ecological Appraisal*. CIEEM
- Bat Conservation Trust (2012) *Bat Surveys – Good Practice Guidelines*
- English Nature (2004) *Bat Mitigation Guidelines*. English Nature, Peterborough.
- JNCC (2004) *The Bat Workers Manual*. 3rd Edition.
- ODPM circular 06/05 (2005) *Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System*
<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>
- Conservation of Habitats and Species Regulations 2010*
<http://www.legislation.gov.uk/ukxi/2010/490/contents/made>
- H. L. Andrews (2011) *A habitat key for the assessment of potential bat roost features in trees*.
- Ratcliffe, D.A. (1977) *A Nature Conservation Review*, Cambridge University Press
- Hedgerow Regulations (1997)*
<http://www.legislation.gov.uk/ukxi/1997/1160/contents/made>

Appendix 1 Local BAP – City of York Biodiversity Action Plan

Table 1: Species Action Plans

Species/group
Great Crested Newt
Andrena ruficrus (Bee)
Bats
Bluebell
Dytiscus dimidiatus (Diving beetle)
Farmland Birds
Heath Cudweed
Limnophila fasciata (cranefly)
Lymnaea glabra (freshwater snail)
Marsh Carpet Moth
Paraphotistus nigricornis (beetle)
River Lamprey
Sea Lamprey
Tansy Beetle
Tasteless Water Pepper
Waved Water Beetle
Water Vole (Arvicola terrestris)
Depressed River Mussel (Pseudanodonta complanata)
Medicinal Leech (Hirudo medicinalis)
Agabus uliginosus (beetle)
Tooth fungus (Bankera fuligineoalba)
Freshwater White-clawed Crayfish (Austropotamobius pallipes)
Corncrake (Crex crex)
Bittern (Botaurus stellaris)
Crucifix ground beetle (Panagaeus cruxmajor)
Ground Beetle (Dromius sigma)
Ground Beetle (Amara famelica)

Table 2: Habitat Action Plans

Habitat
Acid grassland
Neutral grassland
Standing open water and canals
Fens and swamps
Heathland
Wet grassland



Appendix 2

Technical Report
Confidential

Folio No: D0905
Report No: 1
Client: BROOKS ECOLOGICAL
Order No: -
Attn: CHRISTOPHER SHAW
Date: 11.06.2015

TECHNICAL REPORT

EXAMINATION OF ENVIRONMENTAL DNA **IN POND WATER FOR THE DETECTION OF** **GREAT CRESTED NEWTS**

A. Stodolna



Sample overview

Sample	Co-Ordinates	Result
D0905	SE 55948 52672	Negative

Methodology

When Great Crested Newts (GCN) inhabit a pond, they deposit traces of their DNA in the water as evidence of their presence. By sampling the water we can analyse these small environmental traces to detect GCN inhabitation.

The laboratory testing is conducted in two phases. The sample first goes through an extraction process where all 6 tubes are pooled together to acquire as much eDNA as possible. The pooled sample is then tested via real time PCR (or q-PCR). This process amplifies select part of DNA allowing it to be detected and measured.

qPCR combines PCR amplification and detection into a single step. This eliminates the need to detect products using gel electrophoresis. With qPCR, fluorescent dyes specific to the target sequence are used to label PCR products during thermal cycling. The accumulation of fluorescent signal during the exponential phase of the reaction is measured for fast and objective data analysis.

The primers used in this process are specific to a part of mitochondrial DNA only found in GCN ensuring no other DNA is amplified.

Samples are tested in a clean room and the different phases of testing are kept separate to reduce any risk of cross contamination.

Each pooled sample is replicated 12 times to ensure results are accurate. If one of the twelve replicates tests positive the sample is declared positive. The sample is only declared negative if no replicates show amplification.



Results

Sample	Co-Ordinates	Positive Replicates	Negative Replicates	Result
D0905	SE 55948 52672	0	12	Negative

Advice

Negative results may not indicate the absence of GCN just the absence of eDNA above the detection limits of the method. It is still advised to survey a pond using traditional methods within 2km of a positive result or a known habitat for GCN.

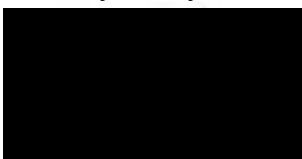
Positive results may be true positives but also may be due to contamination of samples from another pond or improper sampling technique. Please ensure traditional surveys are performed on positive ponds.

The number of positive replicates does not correspond to the size of the GCN population.

Reported By: **Agata Stodolna**








Analysed By: **Thomas Wood BSc(hons) LIBMS**





Appendix 3



-  Rank grassland
-  Arable Field
-  Broadleaf Woodland
-  Hedgerow
-  Tree

Rear Tree Farm

Caravan Storage Area

1 to 6 Northfield Lane

Poppleton Garden Centre

Minster Equine Veterinary Clinic

Wheatlands Wood

A1237 YORK RING ROAD

NORTHFIELD LANE



Unit A, 1 Station Road
 Guiseley
 Leeds
 LS20 8BX
www.brooks-ecological.co.uk
 T: 01943 884451

Project: Land off Northfield Lane, Upper Poppleton
 Title: Ecological Features Plan
 Drawing Number: D-2217-01.1
 Scale: Do not scale Date: June 2015
 Revision: _____

From: Stephen Otley [REDACTED]
Sent: 23 March 2018 11:42
To: localplan@york.gov.uk
Subject: Land of Northfield lane Housing H1
Attachments: Policy H1 Objection Statement Final.docx; Covering letter reps 2018 Inspector.pdf; Consultaion response form Housing land of Northfield lane Poppleton H1.pdf; 171024 Land east of Northfield Lane Main Site.pdf

Categories: Red Category

Dear Sirs

Please see attached supporting documents, forms for land of Northfield lane Poppleton for Housing.

Kind regards

Stephen Otley
Director

SBO Lands Ltd

This representation is for the allocation for housing or employment of approximately 4ha (10 acres) on land east of Northfield Lane.

The site performs none of the roles of the Green Belt as defined in the NPPF and there has been no proper justification in planning terms of including the site in the Green Belt. The site is in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. It would offer residents or employees a high level of amenity as it is well screened by hedgerows and is very close to Wheatlands Woodland. The housing allocations proposed in the Publication Draft document are wholly inadequate to meet the housing needs of the district. Without considerably more housing land the objectively assessed housing needs of the City will not be met and the Local Plan will be found unsound.

The proposed site is viable, deliverable and sustainable. In light of the current shortage of housing in York and the proposed allocation of the adjacent Garden Centre for residential development, it is considered that the site would make a greater contribution to the aims of the York Local Plan as a residential or employment site than as an isolated and incongruous piece of the York Green Belt.

The site is also well-related to existing employment land and was previously assessed as being suitable for employment use. The site would make a useful contribution to the employment offer in the City, increasing the range and quality of well-located sites available to indigenous business and inward investors.

SBO Lands Ltd

FREEPOST RTEG-TYYU-KLTZ,
Local Plan,
City of York Council,
West Offices,
Station Rise,
York,
YO1 6GA.

Dear Sirs,

YORK LOCAL PLAN, PUBLICATION DRAFT, SUBMISSION OF REPRESENTATIONS.

Please find attached the following representations submitted by SBO Lands.

In relation to land at Wheatlands, Northfield Lane, Upper Poppleton:

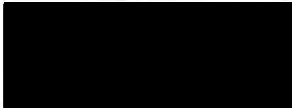
- Objections under policies SS1, H1, EC1 and G15;

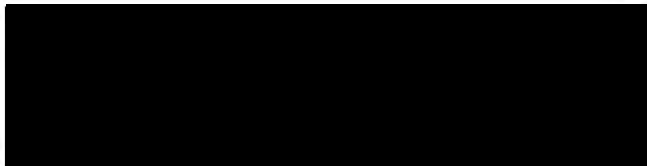
In relation to land occupied by Minster Vets, Northfield Lane, Upper Poppleton:

- Objection under policy H1;

Each representation includes the form and supporting information. Please let me know if you need anything further.

Kind regards


Stephen Otley
SBO Lands Ltd



City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Stephen	
Last Name	Otley	
Organisation (where relevant)	SBO Lands Ltd	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note



Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes

No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Housing allocations are inadequate to meet the housing needs of the District and therefore additional land should be allocated to meet housing needs. Due to the relative lack of housing development sites within the urban area, this will require the development of land beyond the current urban edge. This has not been adequately addressed in the Draft Local Plan and the green belt boundary has been too tightly drawn. The land in question does not fulfil any of the 5 green belt purposes, being an infill site within an existing urban area. It is also sustainably located close to the Poppleton Park and Ride, a location which should be used fully for housing in order to fully benefit from its travel sustainability.

The attached statement sets out the case in full.

Site 885 should be removed from the proposed green belt and should be allocated for housing.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

***Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

The site should be removed from the proposed green belt and allocated for housing development, or as safeguarded land for development beyond the current Plan period.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

22/3/2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

CITY OF YORK COUNCIL LOCAL PLAN PRE-
PUBLICATION REGULATION 18 CONSULTATION

LAND EAST OF NORTHFIELD LANE AND SOUTH
OF POPPLETON GARDEN CENTRE
UPPER POPPLETON, YORK

PLANNING REPRESENTATION ON BEHALF OF
SBO LANDS LTD

October 2017



Chartered Town Planning Consultants

EXECUTIVE SUMMARY

This representation is for the allocation for housing or employment of approximately 4ha (10 acres) on land east of Northfield Lane.

The site performs none of the roles of the Green Belt as defined in the NPPF and there has been no proper justification in planning terms of including the site in the Green Belt.

The site is in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. It would offer residents or employees a high level of amenity as it is well screened by hedgerows and is very close to Wheatlands Woodland.

The housing allocations proposed in the Pre-Publication Draft document are wholly inadequate to meet the housing needs of the district. Without considerably more housing land the objectively assessed housing needs of the City will not be met and the Local Plan will be found unsound.

The proposed site is viable, deliverable and sustainable. In light of the current shortage of housing in York and the proposed allocation of the Garden Centre for residential development, it is considered that the site would make a greater contribution to the aims of the York Local Plan as a residential site than as an isolated and incongruous piece of the York Green Belt.

The site is also well related to existing employment land and was previously assessed as being suitable for employment use. The site would make a useful contribution to the employment offer in the City, increasing the range and quality of well-located sites available to indigenous business and inward investors.

CONTENTS

- 1.0 INTRODUCTION
- 2.0 YORK LOCAL PLAN
- 3.0 PROPOSED SITE
- 4.0 PLANNING POLICY
- 5.0 THE CASE FOR ALLOCATION AS A RESIDENTIAL SITE OR
EMPLOYMENT SITE
- 6.0 CONCLUSION

APPENDICES

- 1. LOCATION PLAN
- 2. HOUSING ALLOCATIONS TRAJECTORY
- 3. ECOLOGY REPORT

1.0 INTRODUCTION

- 1.1 This statement is provided as a representation on behalf of SBO Lands Ltd for the allocation for housing or employment of approximately 4ha (10 acres) on land east of Northfield Lane. The freehold of this site is owned by SBO Lands Ltd.
- 1.2 Section 2 briefly summarises the current position of the Local Plan preparation.
Section 3 describes the representation site.
Section 4 summarises planning policy relevant to this representation.
Section 5 sets out the case for allocating the site for residential and employment development.
Section 6 provides a summary of the representation.

2.0 YORK LOCAL PLAN

- 2.1 The Council produced a Development Control Local Plan in 2005 but this has not been subject to Examination and is now out of date. The Council are preparing a new Local Plan. Consultation was undertaken on the preferred options draft of the plan in June 2013. A publication draft of the Plan was considered by the Council's Local Plan Working Group in September 2014 but in October 2014 work on the Draft Plan was halted.
- 2.2 The Council has recently published a Pre-Publication Draft Local Plan for Consultation in September – October 2017. In that document the Poppleton Garden Centre site adjacent to the north of the representation site is identified as an employment allocation. The District Wide Plan included as Figure 5 in the Consultation Document suggests that the site will form part of the Green Belt.

3.0 PROPOSED SITE

- 3.1 The site is shown edged in red on the attached Location Plan (Appendix I). The Site comprises 4ha of flat amenity grassland. Access into the Site is obtained via a large field gate on Northfield Lane.
- 3.2 The boundaries of the Site are well-defined and it is fully enclosed and screened from all directions as follows:

The boundary to Northfield Lane is defined by a 4-5 metre high hedge with trees, providing a solid screen alongside the northern field. Alongside the southern field the hedge is somewhat thinner and broken views into the site can be obtained from close range. A highway verge runs the full length of the Site on this boundary and a footway runs for most of the length of the west side of the highway, almost as far as the Park and Ride. The Northminster Business Park lies across the road from the site;

The eastern boundary is defined by a substantial woodland which separates the Site from the outer ring road. This woodland, which is owned by the representor and is used primarily for recreation purposes, in particular dog walkers. There is no public access to the Woodland.

The northern boundary abuts the Minster Veterinary Practice and the rear of the garden centre that is proposed as a housing allocation.

- 3.3 The landscape surrounding the site is generally flat and distant views into it are not available either from Knapton to the east or from the open countryside to the west. The elevated section of the A59 adjacent to the Park and Ride similarly does not permit a clear view of the Site which is merged into the surrounding landscape of buildings, trees and hedges. The Site thus comprises a gap site within a significant built-up area forming the southern extension of the village of Upper Poppleton.

4.0 PLANNING POLICY

Regional Policy

- 4.1 The Regional Spatial Strategy for Yorkshire and the Humber (The Yorkshire and Humber Plan, May 2008) has been revoked with only two policies relating to retention of the Green Belt around the City of York still in force. Policy YH9(c) states that:

the detailed inner boundaries of the green belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city.

- 4.2 Policy Y1(c) indicates that the outer boundary of the York Green Belt is about 6 miles from the city centre and that the Green Belt should:

protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

National Planning Policy

- 4.3 The NPPF was published in March 2012 and replaces all previous Planning Policy Guidance notes and some circulars. The Framework sets out the Governments clear intention to facilitate economic growth through sustainable development. In the introduction to the framework, the Minister for State says.

The purpose of planning is to help achieve sustainable development.

Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations.

Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices.....

- 4.4 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. The NPPF explains that for decision-taking this means:

- *approving development proposals that accord with the development plan without delay and*

- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted*

4.5 On the issue of housing the NPPF is clear about the need for a significant increase in housebuilding to address existing backlog and meet future needs. Local authorities are encouraged to "...boost significantly..." the supply of housing. Paragraph 47 of the NPPF states:

To boost significantly the supply of housing, local planning authorities should:

- *use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area*
- *identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;.....*

4.6 With regard to affordable housing, paragraph 50 of the NPPF advises that where LPA's have identified that affordable housing is needed, they should, preferably, set policies for meeting this need on site.

4.7 However, in setting the requirement for affordable housing, regard must be had to the viability of development. Paragraph 173 advises that plan making requires careful attention to viability:

Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

4.8 Paragraph 174 goes on to say that the cumulative cost of policy and local standards imposed on development, including affordable housing.

...should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle."

4.9 The precise extent of the York Green Belt boundaries will be determined through the preparation of the Local Plan, in order to establish long-term development limits that safeguard the special character and setting of the historic City.

4.10 The National Planning Policy Framework defines the role of the Green Belt and sets out the parameters under which Green Belt boundaries are established in Local Plans. Paragraph 79 explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence. The five purposes of the Green Belt as set out in Paragraph 80 are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

4.11 The parameters for establishing and defining Green Belt boundaries are set out in Paragraphs 82 to 85. Paragraph 82 states that new Green Belts should only be established in exceptional circumstances. Local planning authorities proposing a new Green Belt should demonstrate why normal planning and development management policies would not be adequate, having regard for the other objectives of the Framework and the consequences of the proposal on sustainable development.

4.12 Paragraph 83 indicates that local planning authorities should establish Green Belt boundaries in their Local Plans having regard to their intended permanence so that they can endure beyond the plan period. Paragraph 85 states that when defining boundaries, local planning authorities should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- identify areas of 'safeguarded land' between the urban area and the Green Belt, to meet longer-term development needs beyond the plan period;
- make clear that the safeguarded land is not allocated for development at the present time;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

4.13 In the absence of an adopted Local Plan, some considerable confusion surrounds the status of the Green Belt. Much of the commentary relating to the Green Belt speaks from a position that assumes the Green Belt boundaries are fixed in an adopted plan and that any suggestion that sites should be allocated for development will result in land being taken out of the Green Belt (in which case the second sentence of paragraph 83 of the NPPF would apply i.e. Green Belt boundaries should only be altered in exceptional circumstances).

4.14 This is, however, an erroneous assumption because the Green Belt boundaries around York are being defined (or established) for the first time. They are not being altered. In this case, paragraph 85 of the NPPF is therefore the Key advice to be considered. In defining/ establishing boundaries the Council must meet the identified requirement for sustainable development i.e. it must allocate land to meet identified needs for housing, employment, leisure and other needs.

4.15 In other words, it is not a question of what land should be taken out of the Green Belt. The Council is at the point of deciding what land should not be included in the Green Belt in order to meet the identified requirements for sustainable development.

5.0 THE CASE FOR ALLOCATION AS A RESIDENTIAL SITE OR EMPLOYMENT SITE

The need for housing

5.1 This section will:

- assess whether the Council's approach to housing provision will address the housing needs of the City during and beyond the Plan period;
- assess whether the approach to estimating the quantity of housing is accurate;
- Put forward an alternative housing requirement;
- Identify a more realistic housing land requirement

Local plan Working Group July 2017

5.2 The updated housing requirement of the City was reported to the Local Plan Working Group (LPWG) on the 10th July 2017. The report identified an annual housing requirement of 953 dwellings per annum based on evidence provided by the Council's own consultants G L Hearn in the Draft Strategic Housing Market Assessment. The 953 is composed of a Demographic baseline of 867 dwellings; and an adjustment for 'market signals' of 10%.

5.3 The LPWG report stated that the Plan period runs from 2012 to 2033. The Council acknowledge in the LPWG report that as York is setting detailed Green Belt Boundaries for the first time, it is also necessary to consider the period beyond the end date of the plan to 2038 to provide an enduring Green Belt.

5.4 On the basis of the Local Plan Working Group report the housing requirement for the Plan period 2012 to 2033 is therefore 20,031 (21 × 953). The housing requirement need calculation for the period 2032 to 2037 would be 4,765 (5 × 953).

5.5 In calculating the land required to meet the housing requirement the Council had regard to completions to date and unimplemented permissions. The Council also assumed a windfall completion rate of 169 from year 4 of the plan. Having regard to completions,

commitments and windfalls, the Council's estimate of the remaining housing requirement for the Plan Period is:

Table 1: Council's Estimate of Housing Requirement as presented to Local Plan Working Group on 10th July 2017

Plan period 1st April 2012 to 31 st March 2033	
Total Need 2012 -2033 (based on 953)	20,013
Completions 1st April 2012 to 31st March 2017	3,432
Unimplemented Permissions @ 1st April 2017	3,758*
Windfalls (from Year 4) @ 169 pa	2,873
Requirement Remaining	9,950

Source: Local Plan Working Group 10 July 2017

** We believe this to be a misprint*

- 5.6 At the Local Plan Working Group, members did not agree with the assessment of the housing requirement presented by officers. Members set the housing requirement at 867 dwellings per annum.

Pre-Publication Regulation 18 Consultation Draft Local Plan

- 5.7 The Pre-Publication Draft Plan proposes a 15-year plan period with a start date of 1st April 2017. This is a change from the report to the July 2017 LPWG that assumed a plan start date of 2012. This changes the basis of the calculation of the housing requirement. Completions are not included in the calculation of the housing requirement as the plan start date is essentially year 0 in the calculation. Instead the Council include an allowance for backlog (under provision) for the period 2012 to 2017. This has implications for the Green Belt boundary discussed later in this representation.
- 5.8 The Housing requirement in the Draft Plan is therefore based on an annual base requirement of 867 dwellings to which the council has added an additional 56 units per annum to account for undersupply in the period 2012 to 2017 giving a total requirement of 923 dwellings per annum

5.9 Taking account of these changes, the housing requirement as now proposed in the Draft Plan is:

Table 2 Pre-Publication Draft Regulation 18 Consultation Plan

Plan period 1st April 2017 to 31 st March 2033	
Total Need 2017 -2032/33 (based on 923 dwellings per annum 867 + 56))	13,845
Unimplemented Permissions @ 1st April 2017	3,578
Windfalls (from Year 4) @ 169 pa	1,859
Requirement to be provided through allocations	8,408

5.10 In addition to ensure what the Draft Plan considers to be enduring Green Belt Boundaries, additional land is allocated to meet the annual base requirement of 867 dwellings per annum for the 5-year period 2033 to 2038. For reasons we explain below, we consider this assessment of the Requirement remaining and the housing allocations set out in the Draft Plan to be inadequate for the following reasons:

- (i) The housing requirement is too low;
- (ii) The calculation of completions since 2012 is too high (i.e. the Councils estimate of backlog is too low)
- (iii) Outstanding commitments includes student housing that should be excluded
- (iv) The assumptions on windfalls are questionable and should not be treated as a component of the Plan

The Housing requirement

5.11 In our representations on the Preferred Sites Consultation September 2016, we included an Assessment of Housing Need prepared By Nathaniel Lichfield and Partners. That Assessment established the scale of need for housing in the City of York based upon a

range of housing, economic and demographic factors, trends and forecasts, based on the application of NLP's HEaDROOM framework.

- 5.12 The Assessment found that that the OAHN for the City of York was in the range of between 1,125 dpa and 1,255 dpa. The approach allowed for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to deliver affordable housing and support economic growth. Using this range would have ensured compliance with paragraph 47 of the Framework by significantly boosting the supply of housing. It would also have reflected paragraph 19 of the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.
- 5.13 In the 12-month period since our previous representations, the Government has published a consultation document on a methodology for assessing housing need that every Local Planning Authority would have to use when preparing a Local Plan. The methodology uses the projections of household growth as the demographic baseline for every local authority area. To this is added an adjustment to take account of market signals in house prices. Along with the Consultation Paper the Government included a calculation of the housing requirement for each local authority in the country. The calculation for York was a housing requirement of 1,070 dwellings per annum. The consultation paper explains that this should be treated as the starting point for assessing the housing requirement.
- 5.14 Taking a robust and conservative approach, the Government's figure of 1,070 dwellings per annum is therefore used in our assessment of the housing requirement for the Local Plan period.

(i) Calculation of completions - Backlog

- 5.15 The Council have underestimated the scale of the backlog and the Council's annual allowance of 56 dwellings included for backlog, amounting to 840 over the 15-year plan Period, is too low. To calculate the backlog, our assessment uses the figure of 953 as this is the housing requirement figure recommend by the Council's independent Consultants, G L Hearn for the period from 2012 in the report to the July 2017 LPWG.

- 5.16 The Local Plan must demonstrate it can provide deliverable sites for the 5-year tranches within the plan period. Government guidance advises that the calculation of the 5-year supply must take account of any shortfall from previous years. How far back the shortfall should be included is a matter of judgement. There is a point at which unformed households from previous years have been permanently displaced and therefore the need to accommodate them has passed. For the purpose of this calculation, and for some degree of convenience, the period from 2012 will be used as the basis of calculating the backlog.
- 5.17 Housing completion data contained within the Council's Annual Housing Monitoring Updates revealed that after many years of under provision, completion figures for the year 2015/16 suggested a surplus. However, the completion figure of 1,121 for 2015/16 must be treated with some caution as it includes 579 purpose built student accommodation units (Source: Councils Housing Monitoring Update for Monitoring Year 2015/16). Likewise, the completions figure of 977 for 2016/17 must be adjusted to exclude 152 student units.
- 5.18 The Council have included the student units in their completion and commitments figures based on the definition of dwelling units used in the DCLG General Definition of Housing Terms. However, this is a misreading of the definition which excludes communal establishments from being counted in the **overall housing supply statistics**, but adds that all student accommodation whether it consists of communal halls of residence or self-contained dwellings, on or off campus, can be included towards the **housing provision** in local development plans. Government guidance (which is more recent than the DCLG dwelling definition) is that student accommodation units can only be included within the housing supply "...based on the amount of accommodation it releases in the housing market." (*Planning Practice Guidance* Reference ID: 3-038-20140306).
- 5.19 The Council have not produced any evidence to demonstrate how market housing supply has been increased by students transferring from traditional private sector shared housing. Indeed, the available evidence presented in the City of York Council Strategic Housing Market Assessment June 2016 is that new purpose-built student

accommodation has not displaced students from market or family housing. Paragraph 10.67 of the SHMA states:

We have undertaken some qualitative research on the student housing market. This revealed there was an increase in capacity as new purpose-built accommodation has been built on and off campus. However, it was discovered that this did not reduce demand for traditional private sector shared housing.

- 5.20 In addition, the Council has not demonstrated that students form part of the objectively assessed housing need nor demonstrated that new student housing accommodation would contribute towards meeting the housing requirement.
- 5.21 Furthermore, case law has established that in these circumstances purpose built student accommodation cannot count towards the housing supply *Exeter City Council v Secretary of State for Communities and Local Government, Waddeton Park Limited, The R B Nelder Trust. Case No: CO/5738/2104.*
- 5.22 Removing these 579 student units from the completions data reduces the completions for 2015/16 to 542. Likewise removing the 152 student units from 2016/17 data reduces the completions for that year to 825. These are the figures used in our calculation of the backlog.

Table 3 Housing completion backlog for the period 2012-2017

Year	Actual completions	Less student units	Net C3 Dwelling units	SHMA recommended figure	Backlog/ Surplus
2012/13	482	0	482	953	-471
2013/14	345	0	345	953	-608
2014/15	507	0	507	953	-446
2015/16	1121	579	542	953	-411
2016/17	977	152	825	953	-128
Total	3,432	731	2,701	3,812	-1,936

(iii) **Commitments**

5.23 We have obtained a list of the planning permissions that make up the Council's estimate of un-implemented planning permissions. The figure of 3,578 includes 542 student units which, for the reasons stated above should not be included in the housing provision figures. This reduces the commitments figure to 3,036. A further discount of 10% should be applied to account for non-implementation of a proportion of these commitments, giving a more robust figure of 2,732 dwellings for outstanding commitments.

(iv) ***Windfalls***

5.24 The Council's assessment of housing provision includes an allowance for 169 windfalls per annum from year 4 of the plan – 1,859 units in total. Guidance in paragraph 48 of the NPPF is that windfalls can be included in the calculation of five-year supply, i.e. not as a source of housing supply across the plan period. This is because the supply of windfalls is variable and including it across the plan period does not provide the certainty of delivery compared with actual allocations. In addition, once the plan is adopted and housing allocations confirmed, the pressure to deliver housing through windfalls should decrease. Other Authorities, most recently Scarborough Borough Council, have adopted this approach whereby a windfall allowance is identified across the plan period but treated as a flexibility allowance to the allocations and not included in the housing provision. The Scarborough Local Plan Inspector has endorsed this approach.

Meeting housing demand and delivery targets

5.25 It is envisaged that a high proportion of the total number of dwellings to be delivered over the plan period will be derived from the 19 strategic sites identified within the Consultation Draft. However, there is no real certainty over the rate of delivery that can be achieved on some of these sites.

5.26 For example, Strategic Site ST1 (British Sugar) remains undeveloped despite having lain vacant and derelict since 2006. A planning application for a scheme of 1,100 dwellings was refused in October 2017. Development can only commence following a 3-year scheme of remediation. Allowing for a 2-year lead in following remediation, the first

completions on this site are not likely until 2023. The difficulty in bringing forward Strategic Site ST5 (York Central) is also well documented. The draft plan envisages 1,500 new houses being built on this site within in the period 1 to 21 years and at a projected density which ranges between 95 – 125 homes to the hectare. In line with the consultation document prepared for this site in early 2016, the projected densities are to be achieved through the provision of high rise (up to 8 storeys) apartment blocks.

- 5.27 With the Plan placing such a reliance on the capability of York Central to deliver high density development, the impact of high rise blocks on the historic setting of the city is an important consideration at this consultation stage. Paragraph 154 of the NPPF advises that Local Plans should be aspirational but realistic. They should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan. Therefore, until the allocation at York Central is supported by this level analysis, the projected housing yields for the site are considered to be purely aspirational.
- 5.28 There is also a question over how the supply of new homes at York Central will be matched with (the existing) housing demand. The 2016 SHMA for York reveals that the highest level of demand for market housing in the city is for 2 and 3-bedroom family homes. There is also significant unmet demand for bungalows amongst retirees seeking to downsize.
- 5.29 According to local letting agents surveyed for the SHMA, the crucial gap in supply is for good quality family homes. However, there is no perceived shortage of flats or apartments. Based on projections of additional households between the years of 2017 and 2032, the SHMA also indicates that greatest need for market dwellings is for 3-bedroom homes, at 39.2% of additional dwellings. This is followed by two-bedroom homes (37.7%) and 4-bedroom homes (16.5%). The need for 1-bedroom dwellings is comparatively low at 6.6%.

5.30 Whereas the Plan appears to be reliant on the higher densities provided by apartment living to make a significant contribution to the overall supply of housing, the evidence presented in the SHMA suggests that this is not where the main area of demand lies.

5.31 To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, the advice contained within paragraph 50 of the NPPF is that local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

5.32 In its current form, it is not clear how the Preferred Sites and their associated yields will address this requirement. In addition, the Council powers to secure the proposed densities are weak.

Conclusion on Housing requirement

5.33 Taking all the above factors into account, our estimate of the housing requirement compared with the Councils estimate as set out in paragraph 4.5 above is:

Table 4 Galtres Garden Village Estimate of Housing Requirement 2017-2033

Plan period 1st April 2017 to 31 st March 2033	Councils Estimate	SBO Lands Estimate Estimate
Total Need 2017-2033 (based on 867)	13005 (based on 867per annum)	16,050 (based on 1,070 per annum)
Backlog 2012 to 2017	840	1,936
Gross Requirement	13,845	17,986
Unimplemented Permissions @ 1st April 2016*	3,578	2,732
Windfalls (from Year 4) @ 169pa	1,859	0
Net Requirement	8,408	15,254

5.34 It is evident from this analysis that the Council's estimate of the housing requirement is significantly flawed and consequently significant additional allocations are required to address that shortfall.

5.35 In addition to meeting housing land requirement during the plan period, the Council also have to exclude land from the Green Belt for development beyond the plan period to ensure green belt boundaries will endure for some time beyond the Plan Period. The Council propose to meet this objective by allocating housing land for the period 2033 to 2038. Using the Councils baseline requirement figure of 867, the requirement for the 5-year period beyond 2033 would be 4,335 dwellings. Using the Government's figure of 1,070 the requirement would be 5,350.

5.36 We have taken the table of proposed allocations from table 5.1 of the Draft Plan. From that we have applied what we believe to be reasonable assumptions about the potential delivery from each site based on the information provided in the table and other sources (See Appendix 2). For example, we assume no delivery from the British Sugar site in the first 5 years of the plan for the reasons outlined in paragraph 4.26 above.

5.37 The allocations in table 5.1 of the Draft Plan amount to 14,863 dwellings for the 20-year period 2017 to 2038. Our analysis of the allocations indicates the following rates of delivery:

Table 5 Anticipated rates of housing delivery from Proposed Allocations

Timescale	Units	Units
Years 1-5	2,633	
Years 6-10	5,228	
Years 11 to 15	4,146	
Sub-total 15 year plan period		12,007
Years 16 to 21		2,517
Total 20 year period		14,524*

*Does not add to 14,863 as site ST15 delivery extends beyond 2038

5.38 This simple analysis demonstrates that for the 15 year Plan period the housing provision is over 3,000 dwellings short of our estimated housing requirement of 15,254 dwellings. For the 5-year period following the Plan period, the shortfall is 1,782 using the Councils figures or 2,797 short using our figures

5.39 What this illustrates is that the Council cannot demonstrate that Green Belt boundaries will endure beyond the Plan period thus failing one of the fundamental objectives of Green Belt Policy in the NPPF. Without additional housing land allocations, the Green Belt boundaries cannot be confirmed.

5.40 On the previous occasions that Planning Inspectors have considered the Council's Draft Development Plan for the city in 2000 and 2010, each Inspector has concluded that the Green Belt could not be confirmed due to inadequate development land being identified.

5 Year Supply

5.41 Our analysis above demonstrates that the housing land requirement in the for the 15-year plan period is significantly flawed. Of equal concern is the lack of supply in the early years of the plan required to “...*significantly boost the supply of housing...*”.

5.42 Our assessment of the 5-year supply is set out in Table 5 below and is in line with generally accepted practice. The steps in our assessment are:

- I. To provide a fair indication of the range of what the 5-year housing land supply position might be, we use both the Council's housing requirement figure of 867 dwellings per annum and our assessment of the annual requirement of 1,070 dwellings per annum to arrive at a five-year requirement.
- II. We then add the undersupply assessed against each of the housing requirement figures for the period of 2017 to 2016. This is known as the “Sedgefield Method” of calculating the 5-year supply and assumes any undersupply is made up in the 5-year calculation period and not spread over the remaining years of the Local Plan. This is the approach favoured by National Planning Guidance which recommends:

Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible.

(NPPG Paragraph: 035 Reference ID: 3-035-20140306)

- III. As there has, by any measure, been a period of persistent under-delivery of housing in York for the past 9 years, we add the 20% buffer recommended in paragraph 47 of the NPPF.
- IV. We take our adjusted calculation of unimplemented permissions of 2,732 (Paragraph 4.23 above) above.

5.43 x Our assessment of 5-year supply is set out in Table 5 below. We provide 2 variants of the 5-year supply:

- In the first calculation, our assessment assumes the supply comprises just the existing commitments. That gives a five-year supply of 1.56 years based on the Government's estimate of an annual housing requirement need of 1,070 dwellings per annum and our assumptions on backlog and commitments.
- The 5-year supply using the Council's housing requirement of 867 and their assumption on backlog, commitments and windfall is 3 years.

5.44 In the second calculation we have included our estimate of supply arising from the proposed allocations from Table 5 above:

- Our estimate of supply from allocated sites in the first 5 years of the Plan is 2,633 dwellings. When this is added to the assumptions about the supply from existing commitments (3,578 dwellings) the five years supply using the Council figures is 5.13 years and using our figure for commitments (2,732 dwellings), 3.06 years.
- The scale of the deficit in land supply identified by the 5-year calculation is significant not only in terms of the need to identify more land but also in terms of the longevity of undersupply. By any reasonable assessment, there has been a significant shortfall in the provision of housing every year since 2007/08 – 10 years in all.

Table 6: Assessment of 5-year land supply

		Assessment using Councils Housing requirement of 867		Assessment using Government Housing requirement of 1,070	
A	Requirement	(5x867)	4335	(5x1070)	5,350
B	Plus Shortfall 2012-2017		840		1,936
C			5,175		7,286
D	20% buffer	(C x .2)	1,035	(C x .2)	1,457
E	Total 5-year Requirement	C+D	6,210	C+D	8,743
F	Annual requirement	(E ÷ 5)	1,242	(E ÷ 5)	1,749
G	Supply (Commitments)		3,578		2,732
H	Windfall		169		0
I	5-year supply	(G+H) ÷ F	3.0 years		1.56 years
J	Allocations Years 1 to 5		2,633		2,633
K	Potential supply	G+H+J	6,380		5,527
L	Potential 5-year supply	(K ÷ F)	5.13 years		3.06 years

5.45 The calculation above demonstrates the high level of latent and unmet demand in York and the precarious nature of the housing supply in York. In order to achieve a balance between the housing requirement and housing supply the requirement would have to fall significantly. On the basis of the background evidence prepared for the Local Plan, this scenario is highly unlikely

5.46 Alternatively, the requirement / supply balance could be achieved by a rapid increase in the supply of deliverable sites in the 5-year period. Again, on the basis of the evidence available this is less likely. This is because a significant proportion of the draft housing allocations are large sites that will take several years before they deliver a significant

increase in housing supply. Providing additional allocations that include sites that can deliver houses in the first 5 years of the plan period will greatly assist in addressing that shortfall

5.47 In addition to the points made above, it is anticipated that the consultation process for the Draft Local Plan will establish that a number of sites allocated for housing are not viable or deliverable within the plan period. Consequently, alternative sites will need to be allocated by the Council in order to meet its housing targets for the Plan period.

5.48 It is considered that the site should be brought forward for allocation to assist in meeting these housing targets. The proposed site is viable and deliverable, and the owners are committed to making the site available for development in the short to medium term.

Suitability for housing

5.49 The site is in a highly sustainable location and this is confirmed by the Council's analysis of the suitability of the adjacent garden centre for residential development. It is within 10-15 minutes' walk (1 km), crossing by a dedicated traffic light crossing point of a range of local amenities and services such as a convenience store, healthcare services, church and community hall and could be accessed from 2 points. The proximity of the site to Upper Poppleton enables convenient access to most services via sustainable modes of transport.

5.50 The Poppleton Bar Park & Ride facility opposite the site provides frequent and direct access to the centre of York. Poppleton Rail Station, which offers connections to Leeds and York stations, is 5 minutes' walk from the site (less than 400m). The site is well positioned to take advantage of major roads as it is very close to the A59 and the York Ring Road A1237.

5.51 The site is currently accessed from two points along Northfield Lane. There are no other access or technical issues which would preclude development.

5.52 The site is well screened by tall mature hedgerows and trees on all four sides and cannot be seen from the A59 due to the Park and Ride and trees in the landscape. This effectively conceals views of the site and reduces noise from passing traffic.

- 5.53 An Ecological Appraisal of the site was undertaken in 2015 by Brooks Ecological (Appendix 3). The site predominantly consists of intensively managed arable farmland which is of low ecological value. The level of bat activity in the area is low and eDNA testing has confirmed the absence of great crested newts.
- 5.54 The adjacent woodland is also of limited nature conservation value. Further information received from Brooks Ecological indicates that the ecological value of the woodland is limited by its isolation from the wider landscape, regular disturbance by walkers, the young age of the trees and the lack of significant ground flora or understorey. It does not qualify as a 'habitat of principle importance' under the NERC act of 2006.

Suitability for Employment Use

- 5.55 The site is located in what could be described as an area of mixed uses in which employment (B1) use predominates. The site is opposite Northminster Business Park and adjacent Oakwood Business Park to the south.
- 5.56 The suitability of the site for employment use was considered through the Council's Site Selection Paper (June 2013) that formed the basis of the Preferred Options Draft Local Plan (June 2013). Suitability for employment use was assessed against 4 criteria. The site passed Criteria 1,2,3 (It was not wholly within Historic Character and Setting, Nature conservation designations, Regional Green Corridor, Ancient Woodlands, Functional Floodplain, Flood Zone a or open space designation) and it also passed criteria 4 for employment purposes (access to services).
- 5.57 All sites which passed the first 4 criteria as having suitability for employment were then passed to consultants Drivers Jonas Deloitte for further analysis and to develop a shortlist of those with the greatest potential to fill the current Employment demand for uses B1, B2, B8. The comments on the site made by Drivers Jonas Deloitte were:

This site would form a natural part of the Northminster business Park. The site would form part of the wider parcel of land to accommodate a range of B class uses (B1 (a), B1(c) B2 and B8) and benefits from an established location, existing infrastructure and direct access to the A59 and wider road network. Ancillary uses C1/A3/A4/D2 could also be

included within this new Business Park as it is developed over the plan period. Poppleton railway station is a 10 minute walk and connectivity improvements could be delivered with early phases of development, however the site does provide a natural buffer between Northminster Business Park and the A1237. On balance, this site may be better left undeveloped to provide an appropriate buffer between future development and the A1237 and expansion focused towards the west of site 684

- 5.58 The site was not shortlisted for employment use or carried forward for further employment analysis. The proposed site was therefore not one of the Council's preferred shortlisted BI employment sites.
- 5.59 The decision not to allocate the site for employment purposes seems based solely on the comment that the site would be a buffer between future development at Northminster Business Park and the ring road. However, the site is large enough to accommodate employment development and still maintain a buffer with the ring road. The decision to allocate the Poppleton Garden centre which directly adjoins the A59 for residential use and no further from the ring road than the subject site demonstrates this issue is not a barrier to the allocation of the subject site.
- 5.60 Furthermore, the recommendation in the Drivers Jonas Analysis did not take account of the depth of the woodland screen along the east side, none of the change in level between the ring road and the Site which completely screens it from the road. More distant views from Knapton to the east are also totally obscured. The facts on the ground show that the need to keep the land open as a buffer between the ring road and Northminster is completely unjustified.

Green Belt Appraisal

- 5.61 In order to determine whether it is appropriate to include the site in the York Green Belt, the site is assessed against the 5 purposes of the Green Belt set out in Paragraph 79 as follows:

1. To check the unrestricted sprawl of large built-up areas

Much of the surrounding area has already been developed and the large garden centre and parking area adjacent has been proposed for residential development in the Local Plan (Site H57). The site therefore does not perform a role in preventing sprawl.

2. To prevent neighbouring towns merging into one another

There is development in the surrounding area as detailed above. The site does not play a role in preventing the coalescence of York with Upper Poppleton.

3. To assist in safeguarding the countryside from encroachment

The site cannot be considered to be in the open countryside as it is already built up and is adjacent to other developed sites. The proposed allocations of sites H57 and ST19 would further urbanise the site and its surroundings.

4. To preserve the setting and special character of historic towns

The application site clearly has no impact the special character and setting of York, given its distance from York City Centre and the absence of views of the Minster, as well as the existing development around the site.

5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land

5.62 There are few areas of York in need of regeneration. Most, if not all, of the few remaining brownfield sites have planning applications pending or redevelopment proposals outstanding. The scale of the potential development on the site will have no impact on the viability of remaining brownfield sites in the City.

5.63 Based on the above assessment, the site does not perform any of the five roles of the Green Belt. Technically, the site serves no obvious Green Belt function in relation to the historic setting of the City and cannot be considered open.

5.64 Paragraph 79 of the NPPF defines the essential characteristics of Green Belts as their openness and permanence. The NPPF is clear that land which is unnecessary to keep permanently open should not be included in the Green Belt (Para 85). For the reasons

described above, this site is not open and therefore cannot contribute to the openness of the Green Belt. The proposed residential and employment allocations around the site indicate that it will be even less open in the future. It is therefore argued that the concepts of permanence and openness are not relevant to this site and that it does not meet the criteria for inclusion in Green Belt as set out in Paragraph 85.

- 5.65 Paragraph 85 states that Green Belt boundaries should be defined clearly using physical features that are readily recognisable and likely to be permanent. The land subject to this representation has become a land-locked area of open land with no direct connection to the remainder of the proposed green belt. It is surrounded by existing development to the north and south, and partly to the west, and by proposed development allocations to the remainder of the west/south-west.
- 5.66 To the east lies the York Outer Ring Road, which does have a larger tract of proposed green belt on its eastern side opposite the site, but the mature tree belt on the site's eastern boundary effectively disconnects the site from the proposed green belt to the east, a severance which is emphasised by the Ring Road. It is now argued that the Ring Road is a more effective and permanent boundary for the proposed green belt and that the representation land should be excluded
- 5.67 The site would not serve any of the purposes of the Green Belt or resemble the type of site with which Green Belt status is generally associated. Northfield Lane, which runs to the west of the site, constitutes a far more defensible physical boundary for the Green Belt.

6.0 CONCLUSIONS

- 6.1 The site performs none of the roles of the Green Belt as defined in the NPPF and there has been no proper justification in planning terms of including the site in the Green Belt.
- 6.2 The site is in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. It would offer residents or employees a high level of amenity as it is well screened by hedgerows.
- 6.3 The housing allocations proposed in the Pre-Publication Draft Plan are wholly inadequate to meet the housing needs of the district. Without considerably more housing land the objectively assessed housing needs of the City will not be met and the Local Plan will be found unsound.
- 6.4 The proposed site is viable, deliverable and sustainable. In light of the current shortage of housing in York and the proposed allocation of the Garden Centre for residential development, it is considered that the site would make a greater contribution to the aims of the York Local Plan as a residential site than as an isolated and incongruous piece of the York Green Belt.
- 6.5 The site is also well related to existing employment land and was previously assessed as being suitable for employment use. The site would make a useful contribution to the employment offer in the City, increasing the range and quality of well-located sites available to indigenous business and inward investors.

Appendix I

Location Plan

Appendix 2

Draft Local Plan Housing Allocations Development Trajectory

Ref	Site	Site Area	Yield	Timing	Density	Years 1 to 5	Years 6-10	Years 11-15	Years 16-21
H1	Former Gas Works, 24 Heworth Green (Phase 1)	2.87	271	Short Term (Years 1 -5)	94.43	100	171		
H1	Former Gas works, 24 Heworth Green (Phase 2)	0.67	65	Medium Term (Years 6-10)	97.01		65		
H3	Burnholme School	1.90	72	Short Term (Years 1 -5)	37.89	72			
H5	Lowfield School	3.64	162	Short to Medium term (Years 1 -10)	44.51	80	82		
H6	Land R/O The Square Tadcaster Road	1.53	0	Short to Medium Term (Years 1 -10)	0.00				
H7	Bootham Crescent	1.72	86	Short to Medium Term (Years 1 -10)	50.00	46	40		
H8	Askham Bar Park & Ride	1.57	60	Short Term (Years 1 -5)	38.22	60			
H10	The Barbican	0.96	187	Short Term (Years 1 -5)	194.79	187			
H20	Former Oakhaven EPH	0.33	56	Short Term (Years 1 -5)	169.70	56			
H22	Former Heworth Lighthouse	0.29	15	Short Term (Years 1 -5)	51.72	15			
H23	Former Grove House EPH	0.25	11	Short Term (Years 1 -5)	44.00	11			
H29	Land at Moor Lane Copmanthorpe	2.65	88	Short to Medium Term (Years 1 -10)	33.21	48	40		
H31	Eastfield Lane Dunnington	2.51	76	Short to Medium Term (Years 1 -10)	30.28	40	36		
H38	Land RO Rufforth Primary School Rufforth	0.99	33	Short to Medium Term (Years 1 -10)	33.33		33		
H39	North of Church Lane Elvington	0.92	32	Short to Medium Term (Years 1 -10)	34.78		32		
H46	Land to North of Willow Bank and East of Haxby Road, New Earswick	2.74	104	Short to Medium Term (Years 1 -10)	37.96	60	44		
H52	Willow House EPH, Long Close Lane	0.20	15	Short Term (Years 1 -5)	75.00	15			
H53	Land at Knapton Village	0.33	4	Short Term	12.12	4			
H55	Land at Layerthorpe	0.20	20	Short Term (Years 1 -5)	100.00	20			
H56	Land at Hull Road	4.00	70	Short Term (Years 1 -5)	17.50	70			
H58	Clifton Without Primary School	0.70	25	Short Term (Years 1 -5)	35.71	25			
H59	Queen Elizabeth Barracks – Howard Road, Strensall	1.34	45	Short to Medium term (Years 1 -10)	33.58		45		
ST1	British Sugar/Manor School	46.30	1200	Lifetime of the Plan (Years 1-16)	25.92	0	600	600	
ST2	Former Civil Service Sports Ground Millfield Lane	10.40	266	Short to Medium Term (Years 1 -10)	25.58	166	100		
ST4	Land adj. Hull Road & Grimston Bar	7.54	211	Short to Medium Term (Years 1 -10)	27.98	111	100		
ST5	York Central	35.00	1500	Lifetime of the Plan and Post Plan period (Years 1-21)	42.86	0	500	500	500
ST7	Land East of Metcalfe Lane	34.50	845	Lifetime of the Plan (Years 1 -16)	24.49	200	295	350	
ST8	Land North of Monks Cross	39.50	968	Lifetime of the Plan (Years 1 -16)	24.51	250	300	418	
ST9	Land North of Haxby	35.00	735	Lifetime of the Plan (Years 1 -16)	21.00	150	285	300	
ST14	Land to West of Wigginton Road	55.00	1348	Lifetime of the Plan and Post Plan period (Years 1 -21)	25.16	200	400	400	348
ST15	Land to West of Elvington Lane	159.00	3339	Lifetime of the Plan and Post Plan period (Years 1 -21)	21.00	300	900	900	900
ST16	Terrys Extension Site – Terry’s Clock Tower (Phase 1)	2.18	22	Short to Medium Term (Years 1-5)		22			
ST16	Terry’s Extension Site – Terry’s Car Park (Phase 2)		33	Short to Medium Term (Years 1 –10)			33		
ST16	Terry’s Extension Site – Land to rear of Terry’s Factory (Phase 3)		56	Short to Medium Term (Years 1 –10)			56		
ST17	Nestle South (Phase 1)	2.35	263	Short to Medium Term (Years 1 -10)	111.91	100	163		
ST17	Nestle South (Phase 2)	4.70	600	Medium to Long Term (Years 6 –15)	127.66		300	300	
ST31	Land to the South of Tadcaster Road, Copmanthorpe	8.10	158	Short to Medium Term (Years 1-10)	19.51	50	108		
ST32	Hungate (Phases 5+)	2.17	328	Short to Medium Term (Years 1-10)	151.15	128	200		
ST33	Station Yard, Wheldrake	6.00	147	Short to Medium Term (Years 1-10)	24.50	47	100		
ST35**	Queen Elizabeth Barracks, Strensall	28.80	578	Medium to Long Term (Years 6-15)	20.07		200	378	
ST36**	Imphal Barracks, Fulford Road	18.00	769	Post Plan period (Years 16-21)	42.72				769
		526.85	14863			2633	5228	4146	2517

Appendix 3

Ecology Report

Morning Eamonn / Naomi,

In response to your query regarding the ecological value of the woodland surveyed by Brooks Ecological in 2015 –

This area comprises a young, planted area of Broadleaf woodland, the value of which is limited by

- its isolated location in the wider landscape
- regular disturbance by walkers.
- Young age of the woodland
- lack of significant ground flora / understorey

It does not qualify as a 'habitat of principle importance' under the NERC act (2006).

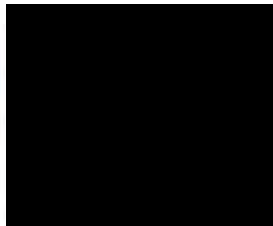
2015 survey did not identified evidence of any protected or otherwise notable species, and bat activity was found to be low.

The woodland is not considered a significant constraint to development – although in line with NPPF – if its loss is required, this should be mitigated for.

Let me know if you require further information.

Kind regards

Daniel Ross BSc (Hons)
Ecologist





**Preliminary Ecological Appraisal
Land off Northfield Lane, Upper Poppleton**

Report reference: R-2217-01
June 2015

Report Title:	Preliminary Ecological Appraisal Land off Northfield Lane, Upper Poppleton
Report Reference:	R-2217-01
Written by	Daniel Ross BSc (Hons) GradCIEEM Assistant Ecologist
Technical review:	Sam Kitching BSc (Hons) Grad CIEEM Ecologist
QA review:	Robert Weston BSc(Hons) MSc MCIEEM Technical Director
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Summary Statement

Areas to be impacted by current proposals are of low ecological value, and their loss will have a negligible impact on the biodiversity of the area.

Summer Bat activity Transect in June 2015 confirmed low levels of activity of common species. Current proposals will likely have a negligible impact on local bat populations.

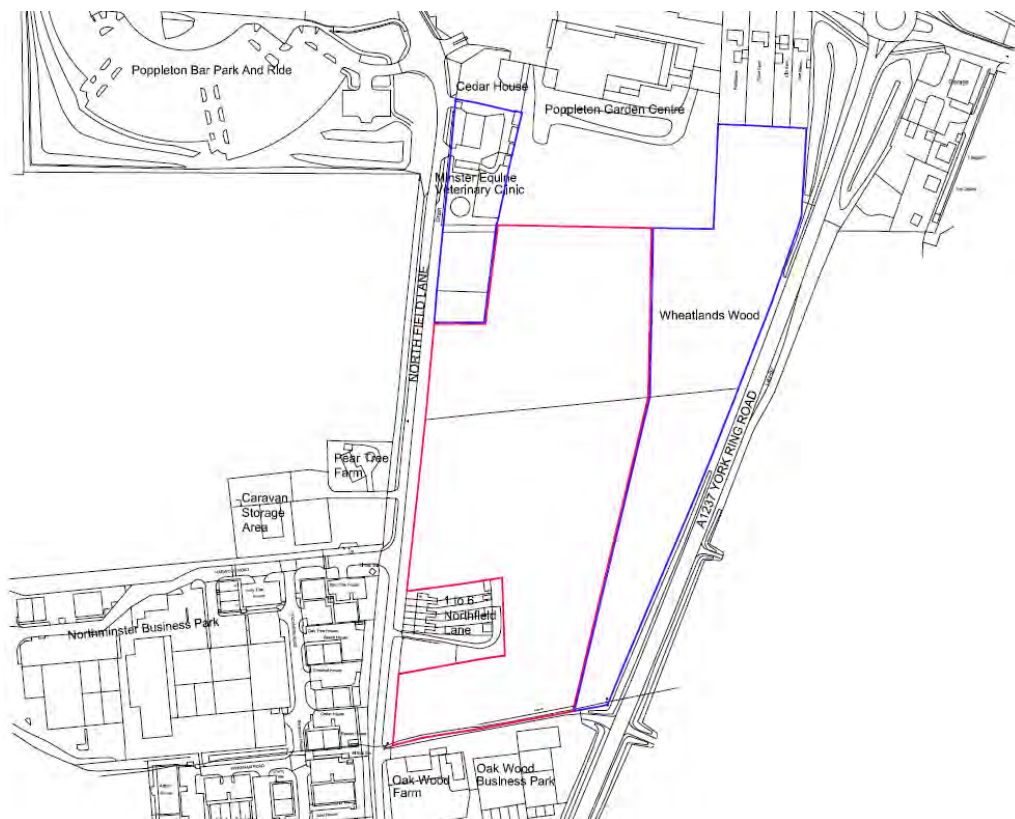
eDNA testing has confirmed the absence of great crested newt in a nearby pond to the south. No further survey effort is required with respect to great crested newt and their presence on site is considered very unlikely.

Recommendations are made for the enhancement of the site for wildlife.

Introduction

1. Brooks Ecological Ltd was commissioned by SBO Lands Ltd to carry out a Preliminary Ecological Appraisal of land off Northfield Lane, Upper Poppleton, York, North Yorkshire (SE 560 530).
2. The application site 'the site' encompasses two arable fields, to the south of the village of Upper Poppleton. The extent and location of the site is shown in Figure 1 below.

Figure 1 Survey site boundary (red line)



Proposals

3. The proposals plan (below) shows the conversion of the site into a touring caravan park. This will involve the incorporation of access road and amenities, and associated lighting.

Figure 2 Indicative proposals.



Site context

4. Aerial photographs published on commonly used websites were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This approach can be very useful in determining if a site is potentially a key part of a wider wildlife corridor or an important node of habitat in an otherwise ecologically poor landscape. It can also identify potentially important faunal habitat (in particular ponds) which could have a bearing on the ecology of the application site. Ponds may sometimes not be apparent on aerial photographs so we also refer to close detailed maps that identify all ponds issues and drains. We use Promap Street + scale maps for this purpose.
5. The site is located to the west of the city of York, surrounded in the immediate vicinity by -
 - An area of planted woodland bordering the site to the east (not in the application site, but covered by the scope of this report.)
 - built development along the southern boundary,
 - and a mixture of built development and arable farmland along the northern and western boundary.
6. The wider area comprises predominantly arable farmland to the west, with development associated with the western fringe of York found over arable fields to the east.

Wildlife corridors

7. The site is not connected to any strong wildlife corridors through the wider area. Movement of terrestrial wildlife to the north and east will be restricted by the A1237, and Roman Road (A59). Limited connectivity is apparent to the west, via arable field boundaries - however no significant valuable habitat is apparent in the wider area.

Water bodies

8. There are two water bodies apparent from mapping within 500m of the site shown on the figure below.

Figure 3 Local habitat / connectivity features



Figure 4 Ponds plan



- Pond 1 is located c.120m to the south within a motorhome storage compound –



Figure 5

View of off site pond located in motorhome storage c.120m to the south of the site (pond 1).

- Pond 2 is located c.250m to the south west of the site. This pond appears to form part of a drainage network and is pictured below. This pond is separated from the site by fields, recent development, and Northfield Lane.



Figure 6

View of off site pond (pond 2).

Statutory Designations

9. A search of the MAGIC (Multi-Agency Geographic Information for the Countryside) website was undertaken. The MAGIC site is a Geographical Information System that contains all statutory (e.g. Sites of Special Scientific Interest [SSSI's]) as well as many non-statutory listed habitats (e.g. ancient woodlands and grassland inventory sites). It is a valuable tool when considering the relationship of a potential development

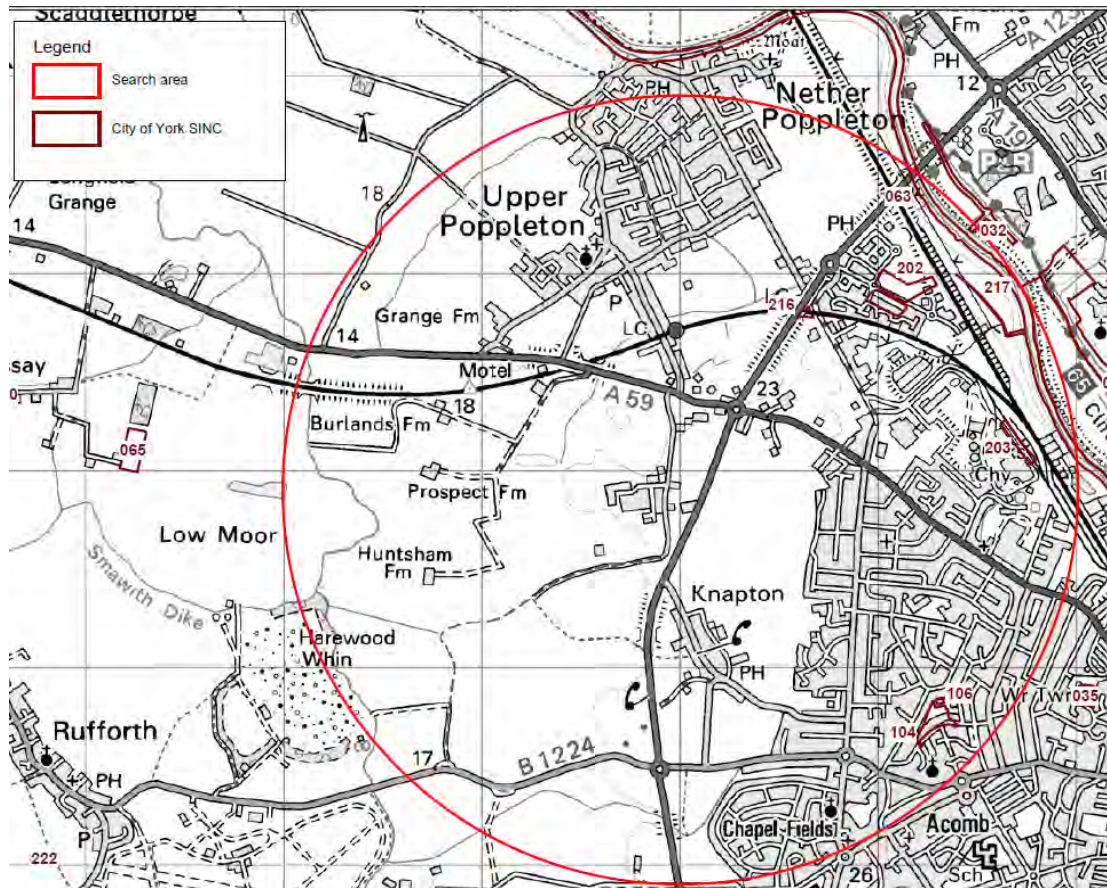
site with nearby important habitats. In addition information from the local record holders has been requested on locally designated sites.

10. A single statutory designation is found within 2km of the application site. This is 'Clifton Ings and Rawcliffe Meadows' - a Site of Special Scientific Interest (SSSI), located c.1.8km to the west. The application site is sufficiently separated from this designation, sharing no similar habitat. As such potential negative impacts are considered very unlikely.
11. The development site lies within the Impact Risk Zone (IRZ) of this SSSI. Local planning authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. The SSSI IRZs can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated.
12. In this instance the proposed development does not fall into one of the categories which trigger the need for consultation with natural England.

Non-Statutory Designations

13. North and East Yorkshire Ecological Data Centre (NEYEDC) has provided information on locally designated sites.
14. Nine Sites of Importance for Nature Conservation (SINC) are found within a 2km search radius. The closest of these is located c.820m to the north east of the site. None of the SINC's are considered to be within the zone of influence of the development, nor do they share any direct physical connection, thus the proposals will have a negligible impact upon them.

Figure 6 Locally designated sites provided by NEYEDC.



Extended Phase 1 Habitat Survey

Method

15. The survey was carried out on the 14th April 2015 and followed Phase 1 habitat survey methodology (JNCC, 1993). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2012).

Results

16. The site comprises two arable field separated and bordered by hedgerows and rank grass field margins. The site footprint is dominated by planted crops, and these will be the areas principally impacted by the proposed development.
17. The following habitats can be described within the application site and on its boundaries:
 - Arable Fields
 - Planted Broadleaf Woodland
 - Hedgerow & trees
 - Field margins.
 - Rank Grassland

Arable Fields

18. The majority of the site consists of planted cereal crop, which due to the application of herbicide, is devoid of any other significant vegetation.



Figure 7

View of southern most arable field looking south east from western boundary

Planted Broadleaf Woodland

19. Along the eastern boundary of the site is an area of young planted woodland which is managed for nature. A range of tree species are found here including common ash (*Fraxinus excelsior*), english oak (*Quercus robur*), wild cherry (*Prunus avium*) and field maple (*Acer campestre*). A number of shrub species are also found here including hawthorn (*Crataegus monogyna*), blackthorn (*Prunus spinosa*), guelder rose (*Viburnum opulus*) and hazel (*Corylus avellana*). Occasional areas of bramble (*Rubus fruticosus*) and nettle (*Urtica dioica*) scrub are also noted at points along the boundaries of this woodland.



Figure 8

View of young broadleaf woodland located along the sites eastern boundary.

20. Common grass species are found throughout this area, with more shaded areas, largeley devoid of vegetation. Species include perennial rye (*Lolium perenne*), cocksfoot (*Dactylis glomerata*) and fescues (*Festuca rubra* agg.), and a limited

range of common forbs such as creeping buttercup (*Ranunculus repens*), ribwort plantain (*Plantago lanceolata*), nettle (*Urtica dioica*), and ivy (*hedera helix*).

Hedgerow & trees

21. Hedgerow on site is species poor, being comprised of predominantly hawthorn (*Crataegus monogyna*) with occasional blackthorn alder (*Alnus glutinosa*) and sycamore (*Acer pseudoplatanus*). Much of the hedgerow appears to be infrequently managed, reaching a height of around c.3m, and width of c.2.5m.



Figure 9

View of the hawthorn hedgerow typical of the site.

22. Along the southern boundary, standards within the hawthorn hedgerow include Lombardy poplar (*Populus nigra 'italica'*), Oak (*Quercus sp.*), silver birch (*Betula pendula*) and sycamore (*acer psuedoplatanus*). Around gardens at the south west of the site species such as *Forsythia* are also found within hedgerow.
23. A single length of Leyland cypress (*Cupressocyparis leylandii*) runs along the northern part of the eastern boundary.
24. Along the western boundary along the road site, there is a line of mature balsam poplar (*Populus balsamifera*) with an understorey of elder (*Sambucus nigra*).



Figure 10

Looking south along the sites western boundary at line of balsam poplar.

Rank Grassland

- 25. An area of grassland is located in-between two sections of the planted woodland which runs along the eastern boundary of the application site. Common grass species such as cocksfoot (*Dactylis glomerata*) and Yorkshire fog (*Holcus lanatus*) dominate here, along with common forb species found elsewhere on site, such as creeping thistle (*Cirsium arvense*), white clover (*Trifolium repens*), Ribwort plantain (*Plantago lanceolata*), knapweed (*Centaurea nigra*), field horsetail (*Equisetum arvense*), as well as yarrow (*Achillea millefolium*), cowslip (*Primula veris*) and common sorrel (*Rumex acetosa*).
- 26. A similar composition of species make up the rank grass borders surrounding the fields with large amount of nettle (*Urtica dioica*) dominating in areas.



Figure 11

View of area of rank grassland between sections of broadleaf woodland off the sites northern boundary.



Figure 12

Example of rank grass boundary of arable fields.

Faunal appraisal

27. This section first looks at the types of habitat found on site or within the sphere of influence of potential development, then considers whether these could support protected , UKBAP or Local BAP (LBAP) priority species (referred to collectively as 'notable species'). A full list of LBAP priority species are provided in appendices.
28. Records of notable species supplied from a 2km area of search by North & East Yorkshire Ecological Data Centre (NEYEDC) are used to inform this appraisal.

Bats

Roosting

29. No built structures are located on site, and the trees on site lack the suitable features to support roosting bats.

Foraging

30. In the context of the wider area which is largely devoid of significant foraging resources, the hedgerow on site, and the woodland along its eastern boundary represent relatively high value foraging habitat. The current proposals detail the removal of part of the hedgerow which runs through the centre of the site, and additionally could result in increased light spillage onto the woodland boundary, and hedgerow / tree lines which surround the site.

31. Further bat survey is recommended in order to establish a baseline for bat activity on site, and therefore determine the likely impact of the proposals on local bat populations. The results of which are presented below

Method

32. The objectives of these surveys are to characterise how local bat populations currently make use of the site, so that an accurate assessment of the potential impacts of development on the site could be made. Surveys therefore set out to collect the following data (BCT survey guidelines 2012):

- The assemblage of bat species using the site;
- The relative frequency with which the site is used by different species;
- The nature of activity for different bat species, for example foraging, commuting and roosting.

33. The transect began around sunset and continued up to 2 hours after when all bats were thought to have emerged, and thus were actively foraging and commuting. Conditions and dates are summarised in table1 below.

34. The transect was walked by a single surveyor, equipped with a heterodyne detector and recording device (Anabat Express). Notes taken during the survey were then used to produce the activity 'heat map' seen in the below figure. Activity was split into three categories; low irregular, low regular and medium regular. Low activity was classified as up to 2 individual bats, with medium being anything over 2.

Table 1: Survey summary

Survey	Date	Sunset	Weather	Invertebrate activity
Summer	18.06.15	20:46	13 °C, overcast, light wind	High

35. Surveys were directed by Rob Weston BSc (Hons) MSc MIEEM. Rob has many years experience of carrying out bat surveys in a professional capacity and is registered to use the new Class Survey Licence WML CL18 (Bat Survey Level 2). He is a member of the West Yorkshire Bat Group, the Bat Conservation Trust and runs training in bat surveys for student ecologists.

Results

36. Transect started on the western boundary of the site and followed a route (outlined in the figure below) which was repeated twice, and encompassed the entire application site, and the off site woodland to the west.
37. Bat activity was low during the survey, with only common pipistrelle being recorded, and only a single individual bat noted at any one time. The low foraging activity was focused around the woodland edge at the east of the site, and the hedgerow which intersects the two arable fields. Two incidences were noted of common pipistrelle bats flying across the centre of the site.

Figure 13 Bat transect summary



Static monitoring

38. At the time of writing this report the data from the period of static monitoring had not yet been returned. However judging from the results of the transect it is not expected that the data will show anything other than common species at low levels. Upon receipt of the monitoring data, an addendum will be issued.

Amphibians

39. The site is dominated by arable fields which represents relatively low value habitat for this group.
40. A single record of the protected great crested newt (GCN) has been returned from a location c.1.8km to the north east of the site. Although this record itself is disconnected from the site by busy roads and development, it does indicate that there is a population of this species in the wider area.
41. Both pond 1 & 2 were surveyed for GCN by 'Halcrow Group Limited' as part of a planning application (09/02294/FULM) for the Poppleton Park & Ride site. These surveys - now in the public domain - conducted in April / May 2008 confirmed the likely absence of GCN.
42. Given the time which has elapsed since these surveys, and the presence of GCN populations in the wider area, it is possible that GCN may have populated these ponds in the interim period. In order to confirm the continued absence of GCN, and ensure the proposed development does not impact on GCN, the closer and more suitable of these two ponds (pond 1) has been subject to further survey in the form of eDNA testing. These results were returned as negative, confirming the continued absence of GCN in pond 1. eDNA analysis results are supplied in Appendix 2.

Birds

43. Records were returned for a range of species, none of which are likely to depend on the site.
44. All significant vegetation, such as hedgerows and trees have the potential to support nesting birds, and standard precautions should be taken should any of this vegetation be removed as part of the development.

Reptiles

45. The site represents low value habitat for this group, and does not form part of any habitat corridors through the wider area which could facilitate the dispersal of

reptiles. Additionally, no records of reptiles were returned from within 2km and their presence on site is considered unlikely.

Terrestrial mammals

46. The majority of the site does not represent valuable habitat for any protected or otherwise notable mammal species.
47. Although records indicate badger populations as being present in the wider area, no evidence of badger activity could be found within suitable habitat on site. The woodland along the eastern boundary represents relatively high value habitat, however it is disconnected from other areas of suitable habitat by large swathes of arable farmland and roads, and will not be directly impacted by current proposals.

Invasive Species

48. A number of non-native plant species have become established in UK ecosystems. In many cases these non-native flora are able to out-compete native species resulting in a detrimental impact on natives, and the faunal groups which rely on them. These species are listed on Schedule 9 of the Wildlife and Countryside Act (1981, as amended) and as such, it constitutes an offence to cause or allow their spread in the wild.
49. No species listed on this schedule were found on the site during the survey.

Evaluation

50. In evaluating the site the ecologist will take into account a number of factors in combination, such as;
- the baseline presented above,
 - the site's position in the local landscape,
 - its current management and
 - its size, rarity or threats to its integrity.
51. There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP (see appendices) and UK BAP to determine if the site supports any Priority habitats or presents any opportunities in this respect.
52. The assessment of impacts considers the proposals illustrated in Figure 2 from which potential effects include:
- Site preparation including vegetation and habitat removal
 - Direct effects on significant faunal groups or protected species
 - Effects on adjacent habitats or species such as disturbance, pollution and severance
 - Operation effects on wildlife such as noise and light disturbance

On site habitats

53. Current proposals will impact predominantly on intensively managed arable farmland which is of low ecological value. The change in use of this land will be of low ecological significance.
54. The young woodland which borders the site to the east represents higher value habitat which should, and based on current proposals, will be retained.
55. Although species poor, the hedgerow on site represents higher value habitat which also provides a connective feature across the site, and through the wider area. Current proposals see the majority of this hedgerow retained, however small areas will be lost in order to create access roads across the site. The loss of these areas should be easily mitigated for by the planting of species rich hedgerow elsewhere on site, this will ensure no net loss of this UK BAP habitat.

On site fauna

Bats

56. In order to determine the level of usage of the site by bats, a summer activity transect has been conducted in the peak activity season, in order to determine a baseline for foraging activity on the site, and determine the likely impact of the current proposals on local bat populations. The results from this survey are presented below.
57. Bat activity has been found to be low on the site during the peak activity season. With this in mind and based on the current proposals, the development will likely only have a negligible impact on local bat populations. Any potential impacts arising from increased lighting of the hedgerow and woodland boundaries can easily be negated by directing artificial lighting downwards, and away from these features.
58. Currently the proposals see a small section of the hedgerow being lost to facilitate access roads. Based on the results of the transect it is considered that the hedge does not represent an important commuting corridor, and the loss of the scale described in the proposals will have no significant impact on the foraging value of this feature.
59. A suitable lighting scheme, which directs all artificial lighting (i.e. flood lighting used during the construction phase, new street lighting, security lights) away from the woodland and boundary hedgerows. Any permanent lighting installed within close proximity to the woodland would ideally be motion activated and set to a short timer. No lighting should be installed within the woodland.

Nesting birds

60. All significant vegetation, i.e. trees, shrubs, scrub and hedgerows, found on site has the potential to support common garden birds during the nesting period (March-August).
61. To prevent the proposed works impacting on nesting birds any clearance of vegetation will need to be undertaken outside of the breeding bird season which is 1st March – 31st August inclusive. Any clearance that is required during the breeding bird season should be preceded by a nesting bird survey to ensure that the Wildlife and Countryside Act (1981) is not contravened through the destruction of nests and that any active nests are identified and adequately protected during the construction phase of the development.

Off site

62. Given the nature of the proposals, the development is very unlikely to have any implications for any locally designated or statutory sites in the wider area, which share no direct connections to the application site.

Enhancement

63. In line with planning guidance outlined in the National Planning Policy Framework (NPPF) development should take account of the value of ecosystem services and enhance ecological networks.
- The off site woodland to the west is already subject to successful management as a nature woodland. The ongoing management of this area post development is likely and will continue to provide a valuable habitat in a predominantly arable landscape.
 - Useful wildlife habitat could be provided in the form of bat boxes, nesting boxes and deadwood and rubble piles. These would all be targeted at the periphery of the site.
 - Much of the site will comprise amenity grassland. This would benefit from seeding and management as wildflower grassland, with a seed mix which would allow it to fulfil its function as amenity space, whilst also provide a valuable foraging resource for wildlife. An example of a suitable seed mix for this location would be '*EL1 flowering lawn mixture*'*.

*available via Emorsgate Seeds <http://wildseed.co.uk/mixtures/view/56/flowering-lawn-mixture>

References

- IEA. (1995). *Guidelines for Baseline Ecological Assessment*. Chapman and Hall
- Nature Conservation Committee (1990). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit*. NCC
- CIEEM. (2013). *Guidelines for Preliminary Ecological Appraisal*. CIEEM
- Bat Conservation Trust (2012) *Bat Surveys – Good Practice Guidelines*
- English Nature (2004) *Bat Mitigation Guidelines*. English Nature, Peterborough.
- JNCC (2004) *The Bat Workers Manual*. 3rd Edition.
- ODPM circular 06/05 (2005) *Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System*
<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>
- Conservation of Habitats and Species Regulations 2010*
<http://www.legislation.gov.uk/ukxi/2010/490/contents/made>
- H. L. Andrews (2011) *A habitat key for the assessment of potential bat roost features in trees*.
- Ratcliffe, D.A. (1977) *A Nature Conservation Review*, Cambridge University Press
- Hedgerow Regulations (1997)*
<http://www.legislation.gov.uk/ukxi/1997/1160/contents/made>

Appendix 1 Local BAP – City of York Biodiversity Action Plan

Table 1: Species Action Plans

Species/group
Great Crested Newt
Andrena ruficrus (Bee)
Bats
Bluebell
Dytiscus dimidiatus (Diving beetle)
Farmland Birds
Heath Cudweed
Limnophila fasciata (cranefly)
Lymnaea glabra (freshwater snail)
Marsh Carpet Moth
Paraphotistus nigricornis (beetle)
River Lamprey
Sea Lamprey
Tansy Beetle
Tasteless Water Pepper
Waved Water Beetle
Water Vole (Arvicola terrestris)
Depressed River Mussel (Pseudanodonta complanata)
Medicinal Leech (Hirudo medicinalis)
Agabus uliginosus (beetle)
Tooth fungus (Bankera fuligineoalba)
Freshwater White-clawed Crayfish (Austropotamobius pallipes)
Corncrake (Crex crex)
Bittern (Botaurus stellaris)
Crucifix ground beetle (Panagaeus cruxmajor)
Ground Beetle (Dromius sigma)
Ground Beetle (Amara famelica)

Table 2: Habitat Action Plans

Habitat
Acid grassland
Neutral grassland
Standing open water and canals
Fens and swamps
Heathland
Wet grassland



Appendix 2

Technical Report
Confidential

Folio No: D0905
Report No: 1
Client: BROOKS ECOLOGICAL
Order No: -
Attn: CHRISTOPHER SHAW
Date: 11.06.2015

TECHNICAL REPORT

EXAMINATION OF ENVIRONMENTAL DNA **IN POND WATER FOR THE DETECTION OF** **GREAT CRESTED NEWTS**

A. Stodolna



Sample overview

Sample	Co-Ordinates	Result
D0905	SE 55948 52672	Negative

Methodology

When Great Crested Newts (GCN) inhabit a pond, they deposit traces of their DNA in the water as evidence of their presence. By sampling the water we can analyse these small environmental traces to detect GCN inhabitation.

The laboratory testing is conducted in two phases. The sample first goes through an extraction process where all 6 tubes are pooled together to acquire as much eDNA as possible. The pooled sample is then tested via real time PCR (or q-PCR). This process amplifies select part of DNA allowing it to be detected and measured.

qPCR combines PCR amplification and detection into a single step. This eliminates the need to detect products using gel electrophoresis. With qPCR, fluorescent dyes specific to the target sequence are used to label PCR products during thermal cycling. The accumulation of fluorescent signal during the exponential phase of the reaction is measured for fast and objective data analysis.

The primers used in this process are specific to a part of mitochondrial DNA only found in GCN ensuring no other DNA is amplified.

Samples are tested in a clean room and the different phases of testing are kept separate to reduce any risk of cross contamination.

Each pooled sample is replicated 12 times to ensure results are accurate. If one of the twelve replicates tests positive the sample is declared positive. The sample is only declared negative if no replicates show amplification.



Results

Sample	Co-Ordinates	Positive Replicates	Negative Replicates	Result
D0905	SE 55948 52672	0	12	Negative

Advice

Negative results may not indicate the absence of GCN just the absence of eDNA above the detection limits of the method. It is still advised to survey a pond using traditional methods within 2km of a positive result or a known habitat for GCN.

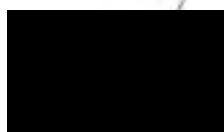
Positive results may be true positives but also may be due to contamination of samples from another pond or improper sampling technique. Please ensure traditional surveys are performed on positive ponds.

The number of positive replicates does not correspond to the size of the GCN population.

Reported By: **Agata Stodolna**



Analysed By: **Thomas Wood BSc(hons) LIBMS**





Appendix 3



Poppleton Garden Centre

Minster Equine Veterinary Clinic

NORTHFIELD LANE

Wheatlands Wood

A1237 YORK RING ROAD

Rear Tree Farm

Caravan Storage Area

Holly Tree House

Box Tree House

Oak Tree House

Beech House

Chestnut House

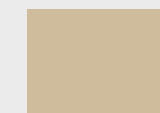
Cedar House

Rowan House

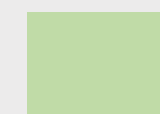
1 to 6 Northfield Lane



Rank grassland



Arable Field



Broadleaf Woodland



Hedgerow



Tree



Unit A, 1 Station Road
Guiseley
Leeds
LS20 8BX
www.brooks-ecological.co.uk
T: 01943 884451

Project: Land off Northfield Lane, Upper Poppleton

Title: Ecological Features Plan

Drawing Number: D-2217-01.1

Scale: Do not scale Date: June 2015

Revision:

From: Stephen Otley [REDACTED]
Sent: 23 March 2018 11:43
To: localplan@york.gov.uk
Subject: Minster vets site Housing H1 Northfield lane Poppleton
Attachments: 171026 Minster Vet Site Housing H1.pdf; Consultaion response form Minster vets site Housing H1.pdf; Covering letter reps 2018 Inspector.pdf; Hi Minster Vets Objection Statement Final.docx

Categories: Red Category

Daer Sirs

Please attached documents supporting Minster Vets site Northfield lane Popplton for housing.

Kind regards

Stephen Otley
Director

SBO Lands Ltd

SBO Lands, York Local Plan Examination, Objection under Policy H1.

This representation is for the allocation for residential use of 0.35 ha of brownfield land at the site of Minster Equine Veterinary Clinic, Northfield Lane, Upper Poppleton.

The site is neither open nor in the countryside, given the current level of development on the site and in the surrounding area. The site performs none of the roles of the Green Belt as defined in the NPPF and there is no justification in planning terms of including the site in the Green Belt.

The proposed site is brownfield land in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. It would offer residents a high level of amenity as it is well screened by hedgerows and is very close to Wheatlands Woodland.

The housing allocations proposed in the Further Sites consultation document are wholly inadequate to meet the housing needs of the district. Without considerably more housing land the objectively assessed housing needs of the City will not be met and the Local Plan will be found unsound.

The existing tenants can be accommodated in alternative premises or land owned by SBO Lands Ltd.

The proposed site is viable, deliverable and sustainable. In light of the current shortage of housing in York and the proposed allocation of the Garden Centre for residential development, it is considered that the site would make a greater contribution to the aims of the York Local Plan as a residential site than as an isolated and incongruous piece of the York Green Belt.

SBO Lands Ltd

FREEPOST RTEG-TYYU-KLTZ,
Local Plan,
City of York Council,
West Offices,
Station Rise,
York,
YO1 6GA.

Dear Sirs,

YORK LOCAL PLAN, PUBLICATION DRAFT, SUBMISSION OF REPRESENTATIONS.

Please find attached the following representations submitted by SBO Lands.

In relation to land at Wheatlands, Northfield Lane, Upper Poppleton:

- Objections under policies SS1, H1, EC1 and G15;

In relation to land occupied by Minster Vets, Northfield Lane, Upper Poppleton:

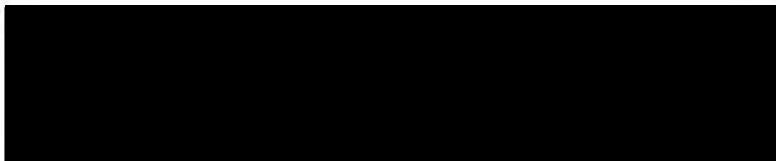
- Objection under policy H1;

Each representation includes the form and supporting information. Please let me know if you need anything further.

Kind regards



Stephen Otley
SBO Lands Ltd



City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Stephen	
Last Name	Otley	
Organisation (where relevant)	SBO Lands Ltd	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with
national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

This representation is for the allocation for residential use of 0.35 ha of Brownfield land at the site of Minster Equine Veterinary Clinic in Poppleton and its exclusion from the green belt.
A statement of case is attached (summary and full statement).

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Remove from the Green Belt

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

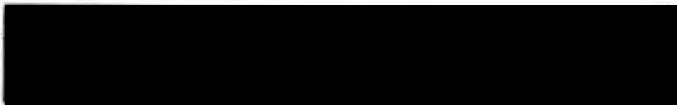
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

22/3/2018

CITY OF YORK COUNCIL LOCAL PLAN PRE-
PUBLICATION REGULATION 18 CONSULTATION

LAND EAST OF NORTHFIELD LANE
MINSTER EQUINE VETERINARY CLINIC
UPPER POPPLETON, YORK

PLANNING REPRESENTATION ON BEHALF OF
SBO LANDS LTD

October 2017



Chartered Town Planning Consultants

EXECUTIVE SUMMARY

This representation is for the allocation for residential use of 0.35 ha of brownfield land at the site of Minster Equine Veterinary Clinic in Poppleton.

The site is neither open nor in the countryside, given the current level of development on the site and in the surrounding area. The site performs none of the roles of the Green Belt as defined in the NPPF and there is no justification in planning terms of including the site in the Green Belt.

The proposed site is brownfield land in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. It would offer residents a high level of amenity as it is well screened by hedgerows and is very close to Wheatlands Woodland.

The housing allocations proposed in the Further Sites consultation document are wholly inadequate to meet the housing needs of the district. Without considerably more housing land the objectively assessed housing needs of the City will not be met and the Local Plan will be found unsound.

The existing tenants can be accommodated in alternative premises or land owned by SBO Lands Ltd.

The proposed site is viable, deliverable and sustainable. In light of the current shortage of housing in York and the proposed allocation of the Garden Centre for residential development, it is considered that the site would make a greater contribution to the aims of the York Local Plan as a residential site than as an isolated and incongruous piece of the York Green Belt.

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- 1.0 INTRODUCTION
- 2.0 YORK LOCAL PLAN
- 3.0 PROPOSED SITE
- 4.0 PLANNING POLICY
- 5.0 THE CASE FOR ALLOCATION AS A RESIDENTIAL SITE
- 6.0 CONCLUSION

APPENDICES

- I. LOCATION PLAN

(ynflm1710.lpreps.ek)
26 October 2017

1.0 INTRODUCTION

- 1.1 This statement is provided as a representation on behalf of SBO Lands Ltd for the allocation for housing of approximately 0.35 ha of brownfield land at the site of Minster Equine Veterinary Clinic on Northfield Lane. The freehold of this site is owned by SBO Lands Ltd.
- 1.2 Section 2 briefly summarises the current position of the Local Plan preparation.
Section 3 describes the representation site.
Section 4 summarises planning policy relevant to this representation.
Section 5 sets out the case for allocating the site for residential development.
Section 6 provides a summary of the representation.

2.0 YORK LOCAL PLAN

- 2.1 The Council produced a Development Control Local Plan in 2005 but this has not been subject to Examination and is now out of date. The Council are preparing a new Local Plan. Consultation was undertaken on the preferred options draft of the plan in June 2013. A publication draft of the Plan was considered by the Council's Local Plan Working Group in September 2014 but in October 2014 work on the Draft Plan was halted.
- 2.2 The Council have published a Local Plan Preferred Sites Consultation Document for Consultation in July-September 2016. In that document the Wyevale Garden Centre site adjacent to the representation site was identified as a housing allocation.
- 2.3 The Council has recently published a Pre-Publication Draft Local Plan for Consultation in September – October 2017. In that document the Wyevale Garden Centre site adjacent to the north of the representation site is identified as an employment allocation. The District Wide Plan suggests that the site will form part of the Green Belt.

3.0 PROPOSED SITE

- 3.1 The site is shown edged in red on the attached Location Plan (Appendix 1). Located to the south of Upper Poppleton on Northfield Lane, the rectangular site of approximately 0.35 hectares is clearly defined and screened by hedgerows on all four sides. Wyevale Garden Centre is located northeast of the site and overgrown land associated with the garden centre lies to the east. To the south is agricultural land, while Northfield Lane runs along the western edge of the site and Luigi's Restaurant is to the north.
- 3.2 The Poppleton Bar Park & Ride facility is located directly opposite the site on the other side of Northfield Lane. The site lies within 400m of Northminster and Oakwood Business Parks to the south and within 450m of Poppleton Rail Station to the north. The centre of Upper Poppleton, which offers a range of services and amenities, is approximately 900m from the site.
- 3.3 The main veterinary clinic is housed in a large two-storey pitched roof building in the northwest corner of the site. To the south of the main building are stables and a circular horse pen, along with a small grassed area. There are several outbuildings along the eastern boundary of the site and a parking area in the south. The majority of the site is covered in hard standing and there are two access points along Northfield Lane.
- 3.4 2.8 hectares of land east of the site at the adjacent Wyevale Garden Centre was allocated as Employment Land (Allocation E16) for light industrial/storage and distribution uses in the 2014 Publication Draft of the York Local Plan. In the July 2016 York Local Plan Preferred Sites Consultation Document, the same site is proposed for residential allocation for 93 dwellings at a density of 35dph. The site is currently proposed as an employment allocation.
- 3.5 The site could accommodate approximately 10 dwellings.

4.0 PLANNING POLICY

Regional Policy

- 4.1 The Regional Spatial Strategy for Yorkshire and the Humber (The Yorkshire and Humber Plan, May 2008) has been revoked with only two policies relating to retention of the Green Belt around the City of York still in force. Policy YH9(c) states that:

the detailed inner boundaries of the green belt around York should be defined in order to establish long term development limits that safeguard the special character and setting of the historic city.

- 4.2 Policy Y1(c) indicates that the outer boundary of the York Green Belt is about 6 miles from the city centre and that the Green Belt should:

protect and enhance the nationally significant historical and environmental character of York, including its historic setting, views of the Minster and important open areas.

National Planning Policy

- 4.3 The NPPF was published in March 2012 and replaces all previous Planning Policy Guidance notes and some circulars. The Framework sets out the Governments clear intention to facilitate economic growth through sustainable development. In the introduction to the framework, the Minister for State says.

The purpose of planning is to help achieve sustainable development.

Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations.

Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices.....

- 4.4 At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. The NPPF explains that for decision-taking this means:

- *approving development proposals that accord with the development plan without delay and*

- *where the development plan is absent, silent or relevant policies are out of date, granting permission unless:*
- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or*
- *specific policies in this Framework indicate development should be restricted*

4.5 On the issue of housing the NPPF is clear about the need for a significant increase in housebuilding to address existing backlog and meet future needs. Local authorities are encouraged to "...boost significantly..." the supply of housing. Paragraph 47 of the NPPF states:

To boost significantly the supply of housing, local planning authorities should:

- *use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area*
- *identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;.....*

4.6 With regard to affordable housing, paragraph 50 of the NPPF advises that where LPA's have identified that affordable housing is needed, they should, preferably, set policies for meeting this need on site.

4.7 However, in setting the requirement for affordable housing, regard must be had to the viability of development. Paragraph 173 advises that plan making requires careful attention to viability:

Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.

4.8 Paragraph 174 goes on to say that the cumulative cost of policy and local standards imposed on development, including affordable housing.

...should not put implementation of the plan at serious risk, and should facilitate development throughout the economic cycle."

4.9 The precise extent of the York Green Belt boundaries will be determined through the preparation of the Local Plan, in order to establish long-term development limits that safeguard the special character and setting of the historic City.

4.10 The National Planning Policy Framework defines the role of the Green Belt and sets out the parameters under which Green Belt boundaries are established in Local Plans. Paragraph 79 explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and that the essential characteristics of Green Belts are their openness and their permanence. The five purposes of the Green Belt as set out in Paragraph 80 are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration by encouraging the recycling of derelict and other urban land.

4.11 The parameters for establishing and defining Green Belt boundaries are set out in Paragraphs 82 to 85. Paragraph 82 states that new Green Belts should only be established in exceptional circumstances. Local planning authorities proposing a new Green Belt should demonstrate why normal planning and development management policies would not be adequate, having regard for the other objectives of the Framework and the consequences of the proposal on sustainable development.

4.12 Paragraph 83 indicates that local planning authorities should establish Green Belt boundaries in their Local Plans having regard to their intended permanence so that they can endure beyond the plan period. Paragraph 85 states that when defining boundaries, local planning authorities should:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open;
- identify areas of 'safeguarded land' between the urban area and the Green Belt, to meet longer-term development needs beyond the plan period;
- make clear that the safeguarded land is not allocated for development at the present time;
- satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

4.13 In the absence of an adopted Local Plan, some considerable confusion surrounds the status of the Green Belt. Much of the commentary relating to the Green Belt speaks from a position that assumes the Green Belt boundaries are fixed in an adopted plan and that any suggestion that sites should be allocated for development will result in land being taken out of the Green Belt (in which case the second sentence of paragraph 83 of the NPPF would apply i.e. Green Belt boundaries should only be altered in exceptional circumstances).

4.14 This is, however, an erroneous assumption because the Green Belt boundaries around York are being defined (or established) for the first time. They are not being altered. In this case, paragraph 85 of the NPPF is therefore the Key advice to be considered. In defining/ establishing boundaries the Council must meet the identified requirement for sustainable development i.e. it must allocate land to meet identified needs for housing, employment, leisure and other needs.

4.15 In other words, it is not a question of what land should be taken out of the Green Belt. The Council is at the point of deciding what land should not be included in the Green Belt in order to meet the identified requirements for sustainable development.

5.0 THE CASE FOR ALLOCATION AS A RESIDENTIAL SITE

5.1 This section will:

- assess whether the Council's approach to housing provision will address the housing needs of the City during and beyond the Plan period;
- assess whether the approach to estimating the quantity of housing is accurate;
- Put forward an alternative housing requirement;
- Identify a more realistic housing land requirement

Local plan Working Group July 2017

- 5.2 The updated housing requirement of the City was reported to the Local Plan Working Group (LPWG) on the 10th July 2017. The report identified an annual housing requirement of 953 dwellings per annum based on evidence provided by the Council's own consultants G L Hearn in the Draft Strategic Housing Market Assessment. The 953 is composed of a Demographic baseline of 867 dwellings; and an adjustment for 'market signals' of 10%.
- 5.3 The LPWG report stated that the Plan period runs from 2012 to 2033. The Council acknowledge in the LPWG report that as York is setting detailed Green Belt Boundaries for the first time, it is also necessary to consider the period beyond the end date of the plan to 2038 to provide an enduring Green Belt.
- 5.4 On the basis of the Local Plan Working Group report the housing requirement for the Plan period 2012 to 2033 is therefore 20,031 (21×953). The housing requirement need calculation for the period 2032 to 2037 would be 4,765 (5×953).
- 5.5 In calculating the land required to meet the housing requirement the Council had regard to completions to date and unimplemented permissions. The Council also assumed a windfall completion rate of 169 from year 4 of the plan. Having regard to completions, commitments and windfalls, the Council's estimate of the remaining housing requirement for the Plan Period is:

Table 1: Council's Estimate of Housing Requirement as presented to Local Plan Working Group on 10th July 2017

Plan period 1st April 2012 to 31 st March 2033	
Total Need 2012 -2033 (based on 953)	20,013
Completions 1st April 2012 to 31st March 2017	3,432
Unimplemented Permissions @ 1st April 2017	3,758*
Windfalls (from Year 4) @ 169 pa	2,873
Requirement Remaining	9,950

Source: Local Plan Working Group 10 July 2017

** We believe this to be a misprint*

- 5.6 At the Local Plan Working Group, members did not agree with the assessment of the housing requirement presented by officers. Members set the housing requirement at 867 dwellings per annum.

Pre-Publication Regulation 18 Consultation Draft Local Plan

- 5.7 The Pre-Publication Draft Plan proposes a 15-year plan period with a start date of 1st April 2017. This is a change from the report to the July 2017 LPWG that assumed a plan start date of 2012. This changes the basis of the calculation of the housing requirement. Completions are not included in the calculation of the housing requirement as the plan start date is essentially year 0 in the calculation. Instead the Council include an allowance for backlog (under provision) for the period 2012 to 2017. This has implications for the Green Belt boundary discussed later in this representation.
- 5.8 The Housing requirement in the Draft Plan is therefore based on an annual base requirement of 867 dwellings to which the council has added an additional 56 units per annum to account for undersupply in the period 2012 to 2017 giving a total requirement of 923 dwellings per annum
- 5.9 Taking account of these changes, the housing requirement as now proposed in the Draft Plan is:

Table 2 Pre-Publication Draft Regulation 18 Consultation Plan

Plan period 1st April 2017 to 31 st March 2033	
Total Need 2017 -2032/33 (based on 923 dwellings per annum 867 + 56))	13,845
Unimplemented Permissions @ 1st April 2017	3,578
Windfalls (from Year 4) @ 169 pa	1,859
Requirement to be provided through allocations	8,408

5.10 In addition to ensure what the Draft Plan considers to be enduring Green Belt Boundaries, additional land is allocated to meet the annual base requirement of 867 dwellings per annum for the 5-year period 2033 to 2038. For reasons we explain below, we consider this assessment of the Requirement remaining and the housing allocations set out in the Draft Plan to be inadequate for the following reasons:

- (i) The housing requirement is too low;
- (ii) The calculation of completions since 2012 is too high (i.e. the Councils estimate of backlog is too low)
- (iii) Outstanding commitments includes student housing that should be excluded
- (iv) The assumptions on windfalls are questionable and should not be treated as a component of the Plan

The Housing requirement

5.11 In our representations on the Preferred Sites Consultation September 2016, we included an Assessment of Housing Need prepared By Nathaniel Lichfield and Partners. That Assessment established the scale of need for housing in the City of York based upon a range of housing, economic and demographic factors, trends and forecasts, based on the application of NLP's HEaDROOM framework.

5.12 The Assessment found that that the OAHN for the City of York was in the range of between 1,125 dpa and 1,255 dpa. The approach allowed for the improvement of negatively performing market signals through the provision of additional supply, as well as helping to deliver affordable housing and support economic growth. Using this range would have ensured compliance with paragraph 47 of the Framework by significantly boosting the supply of housing. It would also have reflected paragraph 19 of the Framework, which seeks to ensure the planning system does everything it can to support sustainable development.

5.13 In the 12-month period since our previous representations, the Government has published a consultation document on a methodology for assessing housing need that every Local Planning Authority would have to use when preparing a Local Plan. The methodology uses the projections of household growth as the demographic baseline for every local authority area. To this is added an adjustment to take account of market signals in house prices. Along with the Consultation Paper the Government included a calculation of the housing requirement for each local authority in the country. The calculation for York was a housing requirement of 1,070 dwellings per annum. The consultation paper explains that this should be treated as the starting point for assessing the housing requirement.

5.14 Taking a robust and conservative approach, the Government's figure of 1,070 dwellings per annum is therefore used in our assessment of the housing requirement for the Local Plan period.

(i) Calculation of completions - Backlog

5.15 The Council have underestimated the scale of the backlog and the Council's annual allowance of 56 dwellings included for backlog, amounting to 840 over the 15-year plan Period, is too low. To calculate the backlog, our assessment uses the figure of 953 as this is the housing requirement figure recommend by the Council's independent Consultants, G L Hearn for the period from 2012 in the report to the July 2017 LPWG.

5.16 The Local Plan must demonstrate it can provide deliverable sites for the 5-year tranches within the plan period. Government guidance advises that the calculation of the 5-year

supply must take account of any shortfall from previous years. How far back the shortfall should be included is a matter of judgement. There is a point at which unformed households from previous years have been permanently displaced and therefore the need to accommodate them has passed. For the purpose of this calculation, and for some degree of convenience, the period from 2012 will be used as the basis of calculating the backlog.

- 5.17 Housing completion data contained within the Council's Annual Housing Monitoring Updates revealed that after many years of under provision, completion figures for the year 2015/16 suggested a surplus. However, the completion figure of 1,121 for 2015/16 must be treated with some caution as it includes 579 purpose built student accommodation units (Source: Councils Housing Monitoring Update for Monitoring Year 2015/16). Likewise, the completions figure of 977 for 2016/17 must be adjusted to exclude 152 student units.
- 5.18 The Council have included the student units in their completion and commitments figures based on the definition of dwelling units used in the DCLG General Definition of Housing Terms. However, this is a misreading of the definition which excludes communal establishments from being counted in the **overall housing supply statistics**, but adds that all student accommodation whether it consists of communal halls of residence or self-contained dwellings, on or off campus, can be included towards the **housing provision** in local development plans. Government guidance (which is more recent than the DCLG dwelling definition) is that student accommodation units can only be included within the housing supply "*...based on the amount of accommodation it releases in the housing market.*" (*Planning Practice Guidance* Reference ID: 3-038-20140306).
- 5.19 The Council have not produced any evidence to demonstrate how market housing supply has been increased by students transferring from traditional private sector shared housing. Indeed, the available evidence presented in the City of York Council Strategic Housing Market Assessment June 2016 is that new purpose-built student accommodation has not displaced students from market or family housing. Paragraph 10.67 of the SHMA states:

We have undertaken some qualitative research on the student housing market. This revealed there was an increase in capacity as new purpose-built accommodation has been built on and off campus. However, it was discovered that this did not reduce demand for traditional private sector shared housing.

5.20 In addition, the Council has not demonstrated that students form part of the objectively assessed housing need nor demonstrated that new student housing accommodation would contribute towards meeting the housing requirement.

5.21 Furthermore, case law has established that in these circumstances purpose built student accommodation cannot count towards the housing supply *Exeter City Council v Secretary of State for Communities and Local Government, Waddeton Park Limited, The R B Nelder Trust. Case No: CO/5738/2104.*

5.22 Removing these 579 student units from the completions data reduces the completions for 2015/16 to 542. Likewise removing the 152 student units from 2016/17 data reduces the completions for that year to 825. These are the figures used in our calculation of the backlog.

Table 3 Housing completion backlog for the period 2012-2017

Year	Actual completions	Less student units	Net C3 Dwelling units	SHMA recommended figure	Backlog/ Surplus
2012/13	482	0	482	953	-471
2013/14	345	0	345	953	-608
2014/15	507	0	507	953	-446
2015/16	1121	579	542	953	-411
2016/17	977	152	825	953	-128
Total	3,432	731	2,701	3,812	-1,936

(iii) **Commitments**

5.23 We have obtained a list of the planning permissions that make up the Council's estimate of un-implemented planning permissions. The figure of 3,578 includes 542 student units which, for the reasons stated above should not be included in the housing provision figures. This reduces the commitments figure to 3,036. A further discount of 10% should be applied to account for non-implementation of a proportion of these commitments, giving a more robust figure of 2,732 dwellings for outstanding commitments.

(iv) ***Windfalls***

5.24 The Council's assessment of housing provision includes an allowance for 169 windfalls per annum from year 4 of the plan – 1,859 units in total. Guidance in paragraph 48 of the NPPF is that windfalls can be included in the calculation of five-year supply, i.e. not as a source of housing supply across the plan period. This is because the supply of windfalls is variable and including it across the plan period does not provide the certainty of delivery compared with actual allocations. In addition, once the plan is adopted and housing allocations confirmed, the pressure to deliver housing through windfalls should decrease. Other Authorities, most recently Scarborough Borough Council, have adopted this approach whereby a windfall allowance is identified across the plan period but treated as a flexibility allowance to the allocations and not included in the housing provision. The Scarborough Local Plan Inspector has endorsed this approach.

Meeting housing demand and delivery targets

5.25 It is envisaged that a high proportion of the total number of dwellings to be delivered over the plan period will be derived from the 19 strategic sites identified within the Consultation Draft. However, there is no real certainty over the rate of delivery that can be achieved on some of these sites.

5.26 For example, Strategic Site ST1 (British Sugar) remains undeveloped despite having lain vacant and derelict since 2006. A planning application for a scheme of 1,100 dwellings was refused in October 2017. Development can only commence following a 3-year scheme of remediation. Allowing for a 2-year lead in following remediation, the first

completions on this site are not likely until 2023. The difficulty in bringing forward Strategic Site ST5 (York Central) is also well documented. The draft plan envisages 1,500 new houses being built on this site within in the period 1 to 21 years and at a projected density which ranges between 95 – 125 homes to the hectare. In line with the consultation document prepared for this site in early 2016, the projected densities are to be achieved through the provision of high rise (up to 8 storeys) apartment blocks.

- 5.27 With the Plan placing such a reliance on the capability of York Central to deliver high density development, the impact of high rise blocks on the historic setting of the city is an important consideration at this consultation stage. Paragraph 154 of the NPPF advises that Local Plans should be aspirational but realistic. They should set out the opportunities for development and clear policies on what will or will not be permitted and where. Only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan. Therefore, until the allocation at York Central is supported by this level analysis, the projected housing yields for the site are considered to be purely aspirational.
- 5.28 There is also a question over how the supply of new homes at York Central will be matched with (the existing) housing demand. The 2016 SHMA for York reveals that the highest level of demand for market housing in the city is for 2 and 3-bedroom family homes. There is also significant unmet demand for bungalows amongst retirees seeking to downsize.
- 5.29 According to local letting agents surveyed for the SHMA, the crucial gap in supply is for good quality family homes. However, there is no perceived shortage of flats or apartments. Based on projections of additional households between the years of 2017 and 2032, the SHMA also indicates that greatest need for market dwellings is for 3-bedroom homes, at 39.2% of additional dwellings. This is followed by two-bedroom homes (37.7%) and 4-bedroom homes (16.5%). The need for 1-bedroom dwellings is comparatively low at 6.6%.

5.30 Whereas the Plan appears to be reliant on the higher densities provided by apartment living to make a significant contribution to the overall supply of housing, the evidence presented in the SHMA suggests that this is not where the main area of demand lies.

5.31 To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, the advice contained within paragraph 50 of the NPPF is that local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand

5.32 In its current form, it is not clear how the Preferred Sites and their associated yields will address this requirement. In addition, the Council powers to secure the proposed densities are weak.

Conclusion on Housing requirement

5.33 Taking all the above factors into account, our estimate of the housing requirement compared with the Councils estimate as set out in paragraph 4.5 above is:

Table 4 Galtres Garden Village Estimate of Housing Requirement 2017-2033

Plan period 1st April 2017 to 31 st March 2033	Councils Estimate	SBO Lands Estimate Estimate
Total Need 2017-2033 (based on 867)	13005 (based on 867per annum)	16,050 (based on 1,070 per annum)
Backlog 2012 to 2017	840	1,936
Gross Requirement	13,845	17,986
Unimplemented Permissions @ 1st April 2016*	3,578	2,732
Windfalls (from Year 4) @ 169pa	1,859	0
Net Requirement	8,408	15,254

5.34 It is evident from this analysis that the Council's estimate of the housing requirement is significantly flawed and consequently significant additional allocations are required to address that shortfall.

5.35 In addition to meeting housing land requirement during the plan period, the Council also have to exclude land from the Green Belt for development beyond the plan period to ensure green belt boundaries will endure for some time beyond the Plan Period. The Council propose to meet this objective by allocating housing land for the period 2033 to 2038. Using the Councils baseline requirement figure of 867, the requirement for the 5-year period beyond 2033 would be 4,335 dwellings. Using the Government's figure of 1,070 the requirement would be 5,350.

5.36 We have taken the table of proposed allocations from table 5.1 of the Draft Plan. From that we have applied what we believe to be reasonable assumptions about the potential delivery from each site based on the information provided in the table and other sources (See Appendix 2). For example, we assume no delivery from the British Sugar site in the first 5 years of the plan for the reasons outlined in paragraph 4.26 above.

5.37 The allocations in table 5.1 of the Draft Plan amount to 14,863 dwellings for the 20-year period 2017 to 2038. Our analysis of the allocations indicates the following rates of delivery:

Table 5 Anticipated rates of housing delivery from Proposed Allocations

Timescale	Units	Units
Years 1-5	2,633	
Years 6-10	5,228	
Years 11 to 15	4,146	
Sub-total 15 year plan period		12,007
Years 16 to 21		2,517
Total 20 year period		14,524*

*Does not add to 14,863 as site ST15 delivery extends beyond 2038

5.38 This simple analysis demonstrates that for the 15 year Plan period the housing provision is over 3,000 dwellings short of our estimated housing requirement of 15,254 dwellings. For the 5-year period following the Plan period, the shortfall is 1,782 using the Councils figures or 2,797 short using our figures

5.39 What this illustrates is that the Council cannot demonstrate that Green Belt boundaries will endure beyond the Plan period thus failing one of the fundamental objectives of Green Belt Policy in the NPPF. Without additional housing land allocations, the Green Belt boundaries cannot be confirmed.

5.40 On the previous occasions that Planning Inspectors have considered the Council's Draft Development Plan for the city in 2000 and 2010, each Inspector has concluded that the Green Belt could not be confirmed due to inadequate development land being identified.

5 Year Supply

5.41 Our analysis above demonstrates that the housing land requirement in the for the 15-year plan period is significantly flawed. Of equal concern is the lack of supply in the early years of the plan required to “...*significantly boost the supply of housing...*”.

5.42 Our assessment of the 5-year supply is set out in Table 5 below and is in line with generally accepted practice. The steps in our assessment are:

- I. To provide a fair indication of the range of what the 5-year housing land supply position might be, we use both the Council's housing requirement figure of 867 dwellings per annum and our assessment of the annual requirement of 1,070 dwellings per annum to arrive at a five-year requirement.
- II. We then add the undersupply assessed against each of the housing requirement figures for the period of 2017 to 2016. This is known as the “Sedgefield Method” of calculating the 5-year supply and assumes any undersupply is made up in the 5-year calculation period and not spread over the remaining years of the Local Plan. This is the approach favoured by National Planning Guidance which recommends:

Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible.

(NPPG Paragraph: 035 Reference ID: 3-035-20140306)

- III. As there has, by any measure, been a period of persistent under-delivery of housing in York for the past 9 years, we add the 20% buffer recommended in paragraph 47 of the NPPF.
- IV. We take our adjusted calculation of unimplemented permissions of 2,732 (Paragraph 4.23 above) above.

5.43 x Our assessment of 5-year supply is set out in Table 5 below. We provide 2 variants of the 5-year supply:

- In the first calculation, our assessment assumes the supply comprises just the existing commitments. That gives a five-year supply of 1.56 years based on the Government's estimate of an annual housing requirement need of 1,070 dwellings per annum and our assumptions on backlog and commitments.
- The 5-year supply using the Council's housing requirement of 867 and their assumption on backlog, commitments and windfall is 3 years.

5.44 In the second calculation we have included our estimate of supply arising from the proposed allocations from Table 5 above:

- Our estimate of supply from allocated sites in the first 5 years of the Plan is 2,633 dwellings. When this is added to the assumptions about the supply from existing commitments (3,578 dwellings) the five years supply using the Council figures is 5.13 years and using our figure for commitments (2,732 dwellings), 3.06 years.
- The scale of the deficit in land supply identified by the 5-year calculation is significant not only in terms of the need to identify more land but also in terms of the longevity of undersupply. By any reasonable assessment, there has been a significant shortfall in the provision of housing every year since 2007/08 – 10 years in all.

Table 6: Assessment of 5-year land supply

		Assessment using Councils Housing requirement of 867		Assessment using Government Housing requirement of 1,070	
A	Requirement	(5x867)	4335	(5x1070)	5,350
B	Plus Shortfall 2012-2017		840		1,936
C			5,175		7,286
D	20% buffer	(C x .2)	1,035	(C x .2)	1,457
E	Total 5-year Requirement	C+D	6,210	C+D	8,743
F	Annual requirement	(E ÷ 5)	1,242	(E ÷ 5)	1,749
G	Supply (Commitments)		3,578		2,732
H	Windfall		169		0
I	5-year supply	(G+H) ÷ F	3.0 years		1.56 years
J	Allocations Years 1 to 5		2,633		2,633
K	Potential supply	G+H+J	6,380		5,527
L	Potential 5-year supply	(K ÷ F)	5.13 years		3.06 years

5.45 The calculation above demonstrates the high level of latent and unmet demand in York and the precarious nature of the housing supply in York. In order to achieve a balance between the housing requirement and housing supply the requirement would have to fall significantly. On the basis of the background evidence prepared for the Local Plan, this scenario is highly unlikely

5.46 Alternatively, the requirement / supply balance could be achieved by a rapid increase in the supply of deliverable sites in the 5-year period. Again, on the basis of the evidence available this is less likely. This is because a significant proportion of the draft housing allocations are large sites that will take several years before they deliver a significant

increase in housing supply. Providing additional allocations that include sites that can deliver houses in the first 5 years of the plan period will greatly assist in addressing that shortfall.

5.47 In addition to the points made above, it is anticipated that the consultation process for the Draft Local Plan will establish that a number of sites allocated for housing are not viable or deliverable within the plan period. Consequently, alternative sites will need to be allocated by the Council in order to meet its housing targets for the Plan period.

5.48 It is considered that the site should be brought forward for allocation to assist in meeting these housing targets. The proposed site is viable and deliverable, and the owners are committed to making the site available for development in the short to medium term.

Suitability for housing

5.49 The site is in a highly sustainable location. It is within 10-15 minutes' walk (1 km) of a range of local amenities and services such as a convenience store, healthcare services, church and community hall. The proximity of the site to Upper Poppleton enables convenient access to most services via sustainable modes of transport.

5.50 The Poppleton Bar Park & Ride facility opposite the site provides frequent and direct access to the centre of York. Poppleton Rail Station, which offers connections to Leeds and York stations, is 5 minutes' walk from the site (less than 400m). The site is well positioned to take advantage of major roads as it is very close to the A59 and the York Ring Road A1237.

5.51 The site is currently accessed from two points along Northfield Lane. There are no other access or technical issues which would preclude development.

5.52 The site is well screened by tall hedgerows and trees on all four sides. This effectively conceals views of the site and reduces noise from passing traffic.

Alternative premises for Vet

- 5.53 The development of the site for housing would necessitate the relocation of the existing veterinary practice. The representor, SBO Land would facilitate the relocation of the business to a new premises.

Green Belt Appraisal

- 5.54 In order to determine whether it is appropriate to include the site in the York Green Belt, the site is assessed against the 5 purposes of the Green Belt set out in Paragraph 79 as follows:

1. To check the unrestricted sprawl of large built-up areas

The site has already been built on and is covered in hard standing. Much of the surrounding area has already been developed and the large garden centre and parking area adjacent has been proposed for residential development in the Local Plan (Site H57). The site therefore does not perform a role in preventing sprawl.

2. To prevent neighbouring towns merging into one another

The site currently constitutes a developed area on the edge of Upper Poppleton. There is development in the surrounding area as detailed above. The site does not play a role in preventing the coalescence of York with Upper Poppleton.

3. To assist in safeguarding the countryside from encroachment

The site cannot be considered to be in the open countryside as it is already built up and is adjacent to other developed sites. The proposed allocations of sites H57 and ST19 would further urbanise the site and its surroundings.

4. To preserve the setting and special character of historic towns

The application site clearly has no impact the special character and setting of York, given its distance from York City Centre and the absence of views of the Minster, as well as the existing development on the site.

5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land

The allocation of the site for residential use would constitute the recycling of brownfield land as the site is already developed and covered in hardstanding.

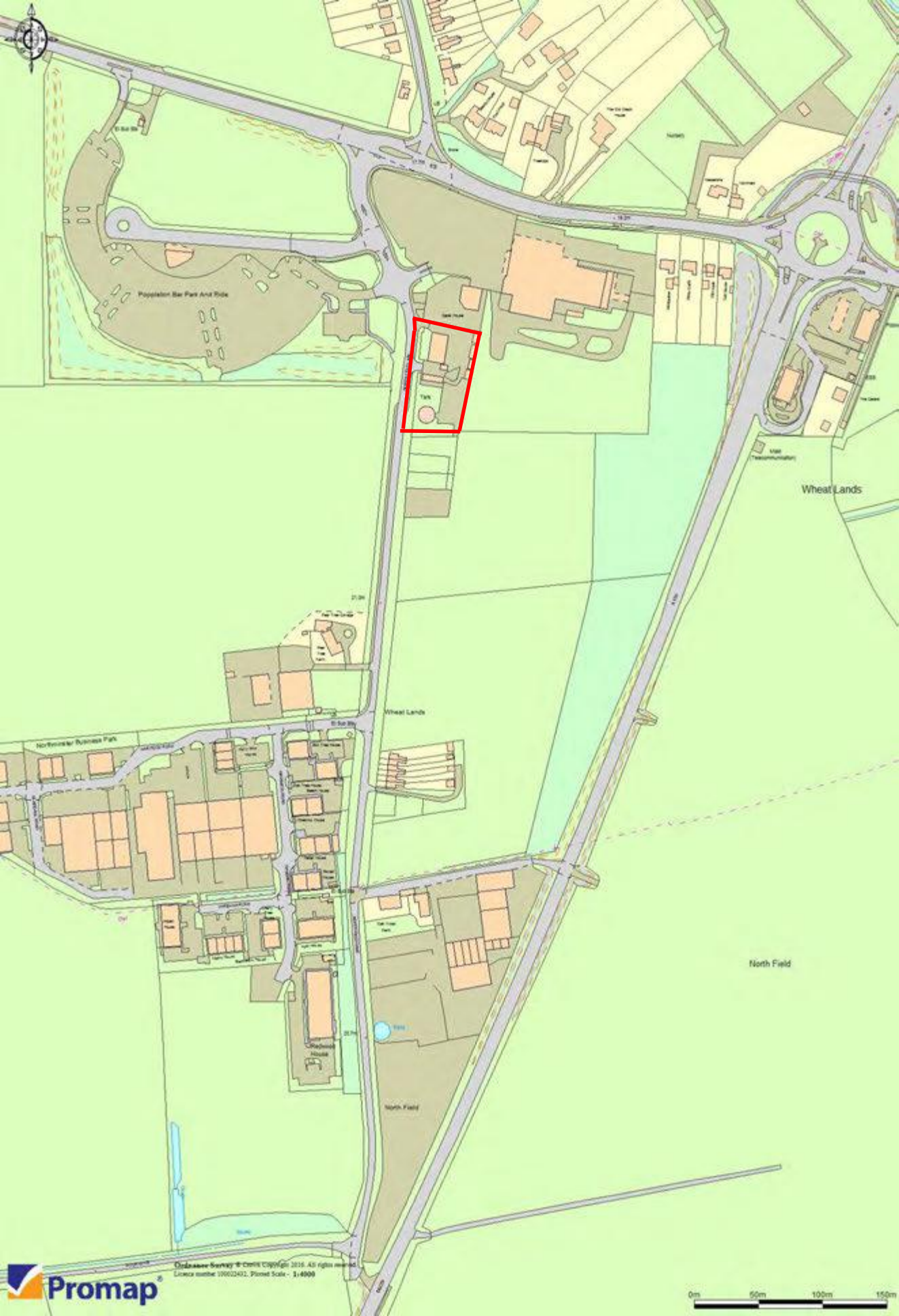
- 5.55 Based on the above assessment, the site does not perform any of the five roles of the Green Belt. Technically, the site serves no obvious Green Belt function in relation to the historic setting of the City and cannot be considered open.
- 5.56 Paragraph 79 of the NPPF defines the essential characteristics of Green Belts as their openness and permanence. The NPPF is clear that land which is unnecessary to keep permanently open should not be included in the Green Belt (Para 85). For the reasons described above, this site is not open and therefore cannot contribute to the openness of the Green Belt. The proposed residential and employment allocations within and around the site indicate that it will be even less open in the future. It is therefore argued that the concepts of permanence and openness are not relevant to this site and that it does not meet the criteria for inclusion in Green Belt as set out in Paragraph 85.
- 5.57 Paragraph 85 states that Green Belt boundaries should be defined clearly using physical features that are readily recognisable and likely to be permanent. The proposed allocation of the Garden Centre for housing would render it completely illogical to include the application site in the Green Belt as it would be a small sliver of built up land wedged between Northfield Lane and Site H57. It would not serve any of the purposes of the Green Belt or resemble the type of site with which Green Belt status is generally associated. Northfield Lane, which runs to the west of the site, constitutes a far more defensible physical boundary for the Green Belt.
- 5.58 The site has its own access, independent from any other sites. It could therefore be developed independent of the adjacent allocation which may be developed on a different timescale. It would be sensible therefore to identify it as a separate allocation although should the circumstances be right, it could be developed as part of allocation H57.

6.0 CONCLUSIONS

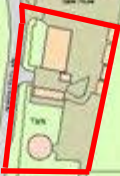
- 6.1 The site is neither open nor in the countryside, given the current level of development on the site and in the surrounding area. The site performs none of the roles of the Green Belt as defined in the NPPF and there has been no proper justification in planning terms of including the site in the Green Belt.
- 6.2 The proposed site is brownfield land in a highly sustainable location very close to bus and rail transport facilities as well as amenities and services. It would offer residents a high level of amenity as it is well screened by hedgerows and is very close to Wheatlands Woodland.
- 6.3 The housing allocations proposed in the Further Sites consultation document are wholly inadequate to meet the housing needs of the district. Without considerably more housing land the objectively assessed housing needs of the City will not be met and the Local Plan will be found unsound.
- 6.4 The existing tenants can be accommodated in alternative premises or land owned by SBO Lands Ltd.
- 6.5 The proposed site is viable, deliverable and sustainable. In light of the current shortage of housing in York and the proposed allocation of the Garden Centre for residential development, it is considered that the site would make a greater contribution to the aims of the York Local Plan as a residential site than as an isolated and incongruous piece of the York Green Belt.

Appendix I

Location Plan



Population Bar Park And Ride



Wheat Lands

Northminster Business Park

Wheat Lands

North Field

North Field

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Appendix 2

Draft Local Plan Housing Allocations Development Trajectory

Ref	Site	Site Area	Yield	Timing	Density	Years 1 to 5	Years 6-10	Years 11-15	Years 16-21
H1	Former Gas Works, 24 Heworth Green (Phase 1)	2.87	271	Short Term (Years 1 -5)	94.43	100	171		
H1	Former Gas works, 24 Heworth Green (Phase 2)	0.67	65	Medium Term (Years 6-10)	97.01		65		
H3	Burnholme School	1.90	72	Short Term (Years 1 -5)	37.89	72			
H5	Lowfield School	3.64	162	Short to Medium term (Years 1 -10)	44.51	80	82		
H6	Land R/O The Square Tadcaster Road	1.53	0	Short to Medium Term (Years 1 -10)	0.00				
H7	Bootham Crescent	1.72	86	Short to Medium Term (Years 1 -10)	50.00	46	40		
H8	Askham Bar Park & Ride	1.57	60	Short Term (Years 1 -5)	38.22	60			
H10	The Barbican	0.96	187	Short Term (Years 1 -5)	194.79	187			
H20	Former Oakhaven EPH	0.33	56	Short Term (Years 1 -5)	169.70	56			
H22	Former Heworth Lighthouse	0.29	15	Short Term (Years 1 -5)	51.72	15			
H23	Former Grove House EPH	0.25	11	Short Term (Years 1 -5)	44.00	11			
H29	Land at Moor Lane Copmanthorpe	2.65	88	Short to Medium Term (Years 1 -10)	33.21	48	40		
H31	Eastfield Lane Dunnington	2.51	76	Short to Medium Term (Years 1 -10)	30.28	40	36		
H38	Land RO Rufforth Primary School Rufforth	0.99	33	Short to Medium Term (Years 1 -10)	33.33		33		
H39	North of Church Lane Elvington	0.92	32	Short to Medium Term (Years 1 -10)	34.78		32		
H46	Land to North of Willow Bank and East of Haxby Road, New Earswick	2.74	104	Short to Medium Term (Years 1 -10)	37.96	60	44		
H52	Willow House EPH, Long Close Lane	0.20	15	Short Term (Years 1 -5)	75.00	15			
H53	Land at Knapton Village	0.33	4	Short Term	12.12	4			
H55	Land at Layerthorpe	0.20	20	Short Term (Years 1 -5)	100.00	20			
H56	Land at Hull Road	4.00	70	Short Term (Years 1 -5)	17.50	70			
H58	Clifton Without Primary School	0.70	25	Short Term (Years 1 -5)	35.71	25			
H59	Queen Elizabeth Barracks – Howard Road, Strensall	1.34	45	Short to Medium term (Years 1 -10)	33.58		45		
ST1	British Sugar/Manor School	46.30	1200	Lifetime of the Plan (Years 1-16)	25.92	0	600	600	
ST2	Former Civil Service Sports Ground Millfield Lane	10.40	266	Short to Medium Term (Years 1 -10)	25.58	166	100		
ST4	Land adj. Hull Road & Grimston Bar	7.54	211	Short to Medium Term (Years 1 -10)	27.98	111	100		
ST5	York Central	35.00	1500	Lifetime of the Plan and Post Plan period (Years 1-21)	42.86	0	500	500	500
ST7	Land East of Metcalfe Lane	34.50	845	Lifetime of the Plan (Years 1 -16)	24.49	200	295	350	
ST8	Land North of Monks Cross	39.50	968	Lifetime of the Plan (Years 1 -16)	24.51	250	300	418	
ST9	Land North of Haxby	35.00	735	Lifetime of the Plan (Years 1 -16)	21.00	150	285	300	
ST14	Land to West of Wigginton Road	55.00	1348	Lifetime of the Plan and Post Plan period (Years 1 -21)	25.16	200	400	400	348
ST15	Land to West of Elvington Lane	159.00	3339	Lifetime of the Plan and Post Plan period (Years 1 -21)	21.00	300	900	900	900
ST16	Terrys Extension Site – Terry's Clock Tower (Phase 1)	2.18	22	Short to Medium Term (Years 1-5)		22			
ST16	Terry's Extension Site – Terry's Car Park (Phase 2)		33	Short to Medium Term (Years 1 –10)			33		
ST16	Terry's Extension Site – Land to rear of Terry's Factory (Phase 3)		56	Short to Medium Term (Years 1 –10)			56		
ST17	Nestle South (Phase 1)	2.35	263	Short to Medium Term (Years 1 -10)	111.91	100	163		
ST17	Nestle South (Phase 2)	4.70	600	Medium to Long Term (Years 6 –15)	127.66		300	300	
ST31	Land to the South of Tadcaster Road, Copmanthorpe	8.10	158	Short to Medium Term (Years 1-10)	19.51	50	108		
ST32	Hungate (Phases 5+)	2.17	328	Short to Medium Term (Years 1-10)	151.15	128	200		
ST33	Station Yard, Wheldrake	6.00	147	Short to Medium Term (Years 1-10)	24.50	47	100		
ST35**	Queen Elizabeth Barracks, Strensall	28.80	578	Medium to Long Term (Years 6-15)	20.07		200	378	
ST36**	Imphal Barracks, Fulford Road	18.00	769	Post Plan period (Years 16-21)	42.72				769
		526.85	14863			2633	5228	4146	2517

From: Stephen Otley [REDACTED]
Sent: 23 March 2018 11:48
To: localplan@york.gov.uk
Subject: Wheatland Woodland of Northfield lane Poppleton
Attachments: 171026 Wheatlands Woodland.pdf; Brooks Ecology letter.pdf; Consultaion form woodland of east of Northfield land Popleton.pdf; Ecological report R-2217-01.pdf; G15 Objection Statement Final.docx; Covering letter reps 2018 Inspector.pdf

Categories: Red Category

Dear Sirs

Please see attached Documents , form for the removal of the Site of Local Interest for Nature Conservation and as an objection to the designation of the site as existing open space for Wheatland Woodland.

Kind regards

Stephen Otley
Director

SBO Lands Ltd

SBO Lands, York Local Plan Examination, Policy G15 Objection.

This representation is for the removal of the designation of Wheatlands Woodland as a Site of Local Interest for Nature Conservation and as an objection to the designation of the site as existing open space under Policy G15. No policy in the Draft Local Plan deals with the designation of land as a SLINC.

The designation of the site as an SLI is not based in scientific evidence nor justifiable from an ecological perspective. The site resembles a commercial tree plantation and does not have any ecological characteristics which are of notable nature conservation value or interest, as confirmed in the Ecological Report. The site is not part of a green corridor or stray and does not perform any of the functions of an SLI as outlined in the Biodiversity Action Plan.

There is a dearth of information accompanying the site's designation as an SLI and little indication of the precise meaning of SLI status in the Council's evidence base. From the perspective of the landowners, the designation of their land as an SLI without consultation or formal notification is intrusive, unjustified and unnecessary. Furthermore there is no policy justification for the designation in the Draft Local Plan. It is therefore requested that SLI designation is removed from the site.

Wheatlands Woodland is private land. There is no public access to the site nor is there any prospect the site will serve an open space function. It serves no recreational purpose. There is no functional or planning justification for the designation of the site as existing open space.

A report setting out the ecological value of Wheatlands woodland by Brooks Ecology is attached.

SBO Lands Ltd

FREEPOST RTEG-TYYU-KLTZ,
Local Plan,
City of York Council,
West Offices,
Station Rise,
York,
YO1 6GA.

Dear Sirs,

YORK LOCAL PLAN, PUBLICATION DRAFT, SUBMISSION OF REPRESENTATIONS.

Please find attached the following representations submitted by SBO Lands.

In relation to land at Wheatlands, Northfield Lane, Upper Poppleton:

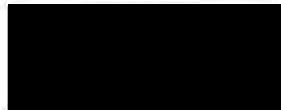
- Objections under policies SS1, H1, EC1 and G15;

In relation to land occupied by Minster Vets, Northfield Lane, Upper Poppleton:

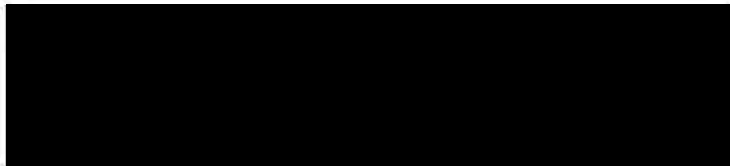
- Objection under policy H1;

Each representation includes the form and supporting information. Please let me know if you need anything further.

Kind regards



Stephen Otley
SBO Lands Ltd



City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Stephen	
Last Name	Otley	
Organisation (where relevant)	SBO Lands Ltd	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?
Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with
national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See attached statement.

A report by Brooks Ecology is attached, setting out the ecological status of the woodland.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Remove the designation of Wheatlands Woodland as a Site of Local Interest for Nature Conservation and remove the designation of the site as existing open space under Policy G15.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

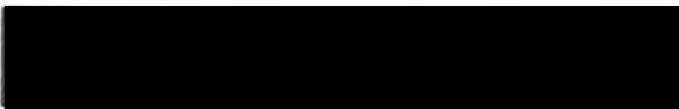
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

22/3/2018

Morning Eamonn / Naomi,

In response to your query regarding the ecological value of the woodland surveyed by Brooks Ecological in 2015 –

This area comprises a young, planted area of Broadleaf woodland, the value of which is limited by

- its isolated location in the wider landscape
- regular disturbance by walkers.
- Young age of the woodland
- lack of significant ground flora / understorey

It does not qualify as a 'habitat of principle importance' under the NERC act (2006).

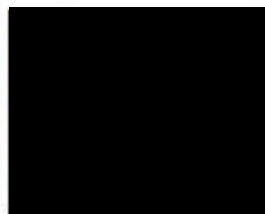
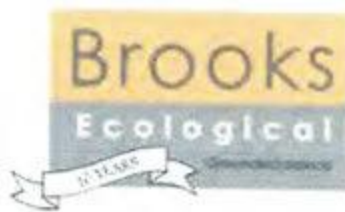
2015 survey did not identified evidence of any protected or otherwise notable species, and bat activity was found to be low.

The woodland is not considered a significant constraint to development – although in line with NPPF – if its loss is required, this should be mitigated for.

Let me know if you require further information.

Kind regards

Daniel Ross BSc (Hons)
Ecologist

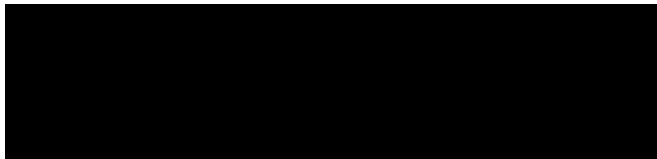




**Preliminary Ecological Appraisal
Land off Northfield Lane, Upper Poppleton**

Report reference: R-2217-01
June 2015

Report Title:	Preliminary Ecological Appraisal Land off Northfield Lane, Upper Poppleton
Report Reference:	R-2217-01
Written by	Daniel Ross BSc (Hons) GradCIEEM Assistant Ecologist
Technical review:	Sam Kitching BSc (Hons) Grad CIEEM Ecologist
QA review:	Robert Weston BSc(Hons) MSc MCIEEM Technical Director
Approved for issue	Robert Weston BSc(Hons) MSc MCIEEM Technical Director
Date	19.06.15



Summary Statement

Areas to be impacted by current proposals are of low ecological value, and their loss will have a negligible impact on the biodiversity of the area.

Summer Bat activity Transect in June 2015 confirmed low levels of activity of common species. Current proposals will likely have a negligible impact on local bat populations.

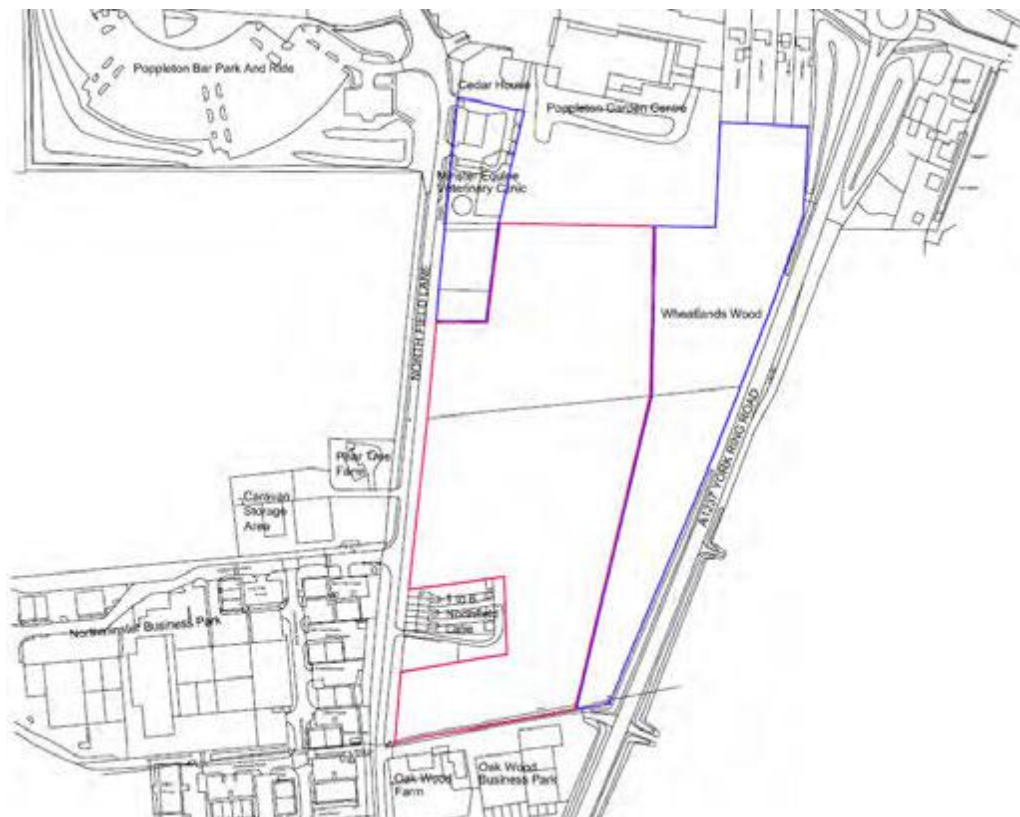
eDNA testing has confirmed the absence of great crested newt in a nearby pond to the south. No further survey effort is required with respect to great crested newt and their presence on site is considered very unlikely.

Recommendations are made for the enhancement of the site for wildlife.

Introduction

1. Brooks Ecological Ltd was commissioned by SBO Lands Ltd to carry out a Preliminary Ecological Appraisal of land off Northfield Lane, Upper Poppleton, York, North Yorkshire (SE 560 530).
2. The application site 'the site' encompasses two arable fields, to the south of the village of Upper Poppleton. The extent and location of the site is shown in Figure 1 below.

Figure 1 Survey site boundary (red line)



Proposals

3. The proposals plan (below) shows the conversion of the site into a touring caravan park. This will involve the incorporation of access road and amenities, and associated lighting.

Figure 2 Indicative proposals.



Site context

4. Aerial photographs published on commonly used websites were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This approach can be very useful in determining if a site is potentially a key part of a wider wildlife corridor or an important node of habitat in an otherwise ecologically poor landscape. It can also identify potentially important faunal habitat (in particular ponds) which could have a bearing on the ecology of the application site. Ponds may sometimes not be apparent on aerial photographs so we also refer to close detailed maps that identify all ponds issues and drains. We use Promap Street + scale maps for this purpose.
5. The site is located to the west of the city of York, surrounded in the immediate vicinity by -
 - An area of planted woodland bordering the site to the east (not in the application site, but covered by the scope of this report.)
 - built development along the southern boundary,
 - and a mixture of built development and arable farmland along the northern and western boundary.
6. The wider area comprises predominantly arable farmland to the west, with development associated with the western fringe of York found over arable fields to the east.

Wildlife corridors

7. The site is not connected to any strong wildlife corridors through the wider area. Movement of terrestrial wildlife to the north and east will be restricted by the A1237, and Roman Road (A59). Limited connectivity is apparent to the west, via arable field boundaries - however no significant valuable habitat is apparent in the wider area.

Water bodies

8. There are two water bodies apparent from mapping within 500m of the site shown on the figure below.

Figure 3 Local habitat / connectivity features



Figure 4 Ponds plan



- Pond 1 is located c.120m to the south within a motorhome storage compound –



Figure 5

View of off site pond located in motorhome storage c.120m to the south of the site (pond 1).

- Pond 2 is located c.250m to the south west of the site. This pond appears to form part of a drainage network and is pictured below. This pond is separated from the site by fields, recent development, and Northfield Lane.



Figure 6

View of off site pond (pond 2).

Statutory Designations

9. A search of the MAGIC (Multi-Agency Geographic Information for the Countryside) website was undertaken. The MAGIC site is a Geographical Information System that contains all statutory (e.g. Sites of Special Scientific Interest [SSSI's]) as well as many non-statutory listed habitats (e.g. ancient woodlands and grassland inventory sites). It is a valuable tool when considering the relationship of a potential development

site with nearby important habitats. In addition information from the local record holders has been requested on locally designated sites.

10. A single statutory designation is found within 2km of the application site. This is 'Clifton Ings and Rawcliffe Meadows' - a Site of Special Scientific Interest (SSSI), located c.1.8km to the west. The application site is sufficiently separated from this designation, sharing no similar habitat. As such potential negative impacts are considered very unlikely.
11. The development site lies within the Impact Risk Zone (IRZ) of this SSSI. Local planning authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. The SSSI IRZs can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated.
12. In this instance the proposed development does not fall into one of the categories which trigger the need for consultation with natural England.

Non-Statutory Designations

13. North and East Yorkshire Ecological Data Centre (NEYEDC) has provided information on locally designated sites.
14. Nine Sites of Importance for Nature Conservation (SINC) are found within a 2km search radius. The closest of these is located c.820m to the north east of the site. None of the SINC's are considered to be within the zone of influence of the development, nor do they share any direct physical connection, thus the proposals will have a negligible impact upon them.

Extended Phase 1 Habitat Survey

Method

15. The survey was carried out on the 14th April 2015 and followed Phase 1 habitat survey methodology (JNCC, 1993). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2012).

Results

16. The site comprises two arable field separated and bordered by hedgerows and rank grass field margins. The site footprint is dominated by planted crops, and these will be the areas principally impacted by the proposed development.
17. The following habitats can be described within the application site and on its boundaries:
 - Arable Fields
 - Planted Broadleaf Woodland
 - Hedgerow & trees
 - Field margins.
 - Rank Grassland

Arable Fields

18. The majority of the site consists of planted cereal crop, which due to the application of herbicide, is devoid of any other significant vegetation.



Figure 7

View of southern most arable field looking south east from western boundary

Planted Broadleaf Woodland

19. Along the eastern boundary of the site is an area of young planted woodland which is managed for nature. A range of tree species are found here including common ash (*Fraxinus excelsior*), english oak (*Quercus robur*), wild cherry (*Prunus avium*) and field maple (*Acer campestre*). A number of shrub species are also found here including hawthorn (*Crataegus monogyna*), blackthorn (*Prunus spinosa*), guelder rose (*Viburnum opulus*) and hazel (*Corylus avellana*). Occasional areas of bramble (*Rubus fruticosus*) and nettle (*Urtica dioica*) scrub are also noted at points along the boundaries of this woodland.



Figure 8

View of young broadleaf woodland located along the sites eastern boundary.

20. Common grass species are found throughout this area, with more shaded areas, largeley devoid of vegetation. Species include perennial rye (*Lolium perenne*), cocksfoot (*Dactylis glomerata*) and fescues (*Festuca rubra* agg.), and a limited

range of common forbs such as creeping buttercup (*Ranunculus repens*), ribwort plantain (*Plantago lanceolata*), nettle (*Urtica dioica*), and ivy (*hedera helix*).

Hedgerow & trees

21. Hedgerow on site is species poor, being comprised of predominantly hawthorn (*Crataegus monogyna*) with occasional blackthorn alder (*Alnus glutinosa*) and sycamore (*Acer pseudoplatanus*). Much of the hedgerow appears to be infrequently managed, reaching a height of around c.3m, and width of c.2.5m.



Figure 9

View of the hawthorn hedgerow typical of the site.

22. Along the southern boundary, standards within the hawthorn hedgerow include Lombardy poplar (*Populus nigra 'italica'*), Oak (*Quercus sp.*), silver birch (*Betula pendula*) and sycamore (*acer psuedoplatanus*). Around gardens at the south west of the site species such as *Forsythia* are also found within hedgerow.
23. A single length of Leyland cypress (*Cupressocyparis leylandii*) runs along the northern part of the eastern boundary.
24. Along the western boundary along the road site, there is a line of mature balsam poplar (*Populus balsamifera*) with an understorey of elder (*Sambucus nigra*).



Figure 10

Looking south along the sites western boundary at line of balsam poplar.

Rank Grassland

- 25. An area of grassland is located in-between two sections of the planted woodland which runs along the eastern boundary of the application site. Common grass species such as cocksfoot (*Dactylis glomerata*) and Yorkshire fog (*Holcus lanatus*) dominate here, along with common forb species found elsewhere on site, such as creeping thistle (*Cirsium arvense*), white clover (*Trifolium repens*), Ribwort plantain (*Plantago lanceolata*), knapweed (*Centaurea nigra*), field horsetail (*Equisetum arvense*), as well as yarrow (*Achillea millefolium*), cowslip (*Primula veris*) and common sorrel (*Rumex acetosa*).
- 26. A similar composition of species make up the rank grass borders surrounding the fields with large amount of nettle (*Urtica dioica*) dominating in areas.



Figure 11

View of area of rank grassland between sections of broadleaf woodland off the sites northern boundary.



Figure 12

Example of rank grass boundary of arable fields.

Faunal appraisal

27. This section first looks at the types of habitat found on site or within the sphere of influence of potential development, then considers whether these could support protected , UKBAP or Local BAP (LBAP) priority species (referred to collectively as 'notable species'). A full list of LBAP priority species are provided in appendices.
28. Records of notable species supplied from a 2km area of search by North & East Yorkshire Ecological Data Centre (NEYEDC) are used to inform this appraisal.

Bats

Roosting

29. No built structures are located on site, and the trees on site lack the suitable features to support roosting bats.

Foraging

30. In the context of the wider area which is largely devoid of significant foraging resources, the hedgerow on site, and the woodland along its eastern boundary represent relatively high value foraging habitat. The current proposals detail the removal of part of the hedgerow which runs through the centre of the site, and additionally could result in increased light spillage onto the woodland boundary, and hedgerow / tree lines which surround the site.

31. Further bat survey is recommended in order to establish a baseline for bat activity on site, and therefore determine the likely impact of the proposals on local bat populations. The results of which are presented below

Method

32. The objectives of these surveys are to characterise how local bat populations currently make use of the site, so that an accurate assessment of the potential impacts of development on the site could be made. Surveys therefore set out to collect the following data (BCT survey guidelines 2012):

- The assemblage of bat species using the site;
- The relative frequency with which the site is used by different species;
- The nature of activity for different bat species, for example foraging, commuting and roosting.

33. The transect began around sunset and continued up to 2 hours after when all bats were thought to have emerged, and thus were actively foraging and commuting. Conditions and dates are summarised in table 1 below.

34. The transect was walked by a single surveyor, equipped with a heterodyne detector and recording device (Anabat Express). Notes taken during the survey were then used to produce the activity 'heat map' seen in the below figure. Activity was split into three categories; low irregular, low regular and medium regular. Low activity was classified as up to 2 individual bats, with medium being anything over 2.

Table 1: Survey summary

Survey	Date	Sunset	Weather	Invertebrate activity
Summer	18.06.15	20:46	13 °C, overcast, light wind	High

35. Surveys were directed by Rob Weston BSc (Hons) MSc MIEEM. Rob has many years experience of carrying out bat surveys in a professional capacity and is registered to use the new Class Survey Licence WML CL18 (Bat Survey Level 2). He is a member of the West Yorkshire Bat Group, the Bat Conservation Trust and runs training in bat surveys for student ecologists.

Results

36. Transect started on the western boundary of the site and followed a route (outlined in the figure below) which was repeated twice, and encompassed the entire application site, and the off site woodland to the west.
37. Bat activity was low during the survey, with only common pipistrelle being recorded, and only a single individual bat noted at any one time. The low foraging activity was focused around the woodland edge at the east of the site, and the hedgerow which intersects the two arable fields. Two incidences were noted of common pipistrelle bats flying across the centre of the site.

Figure 13 Bat transect summary



Static monitoring

38. At the time of writing this report the data from the period of static monitoring had not yet been returned. However judging from the results of the transect it is not expected that the data will show anything other than common species at low levels. Upon receipt of the monitoring data, an addendum will be issued.

Amphibians

39. The site is dominated by arable fields which represents relatively low value habitat for this group.
40. A single record of the protected great crested newt (GCN) has been returned from a location c.1.8km to the north east of the site. Although this record itself is disconnected from the site by busy roads and development, it does indicate that there is a population of this species in the wider area.
41. Both pond 1 & 2 were surveyed for GCN by 'Halcrow Group Limited' as part of a planning application (09/02294/FULM) for the Poppleton Park & Ride site. These surveys - now in the public domain - conducted in April / May 2008 confirmed the likely absence of GCN.
42. Given the time which has elapsed since these surveys, and the presence of GCN populations in the wider area, it is possible that GCN may have populated these ponds in the interim period. In order to confirm the continued absence of GCN, and ensure the proposed development does not impact on GCN, the closer and more suitable of these two ponds (pond 1) has been subject to further survey in the form of eDNA testing. These results were returned as negative, confirming the continued absence of GCN in pond 1. eDNA analysis results are supplied in Appendix 2.

Birds

43. Records were returned for a range of species, none of which are likely to depend on the site.
44. All significant vegetation, such as hedgerows and trees have the potential to support nesting birds, and standard precautions should be taken should any of this vegetation be removed as part of the development.

Reptiles

45. The site represents low value habitat for this group, and does not form part of any habitat corridors through the wider area which could facilitate the dispersal of

reptiles. Additionally, no records of reptiles were returned from within 2km and their presence on site is considered unlikely.

Terrestrial mammals

46. The majority of the site does not represent valuable habitat for any protected or otherwise notable mammal species.
47. Although records indicate badger populations as being present in the wider area, no evidence of badger activity could be found within suitable habitat on site. The woodland along the eastern boundary represents relatively high value habitat, however it is disconnected from other areas of suitable habitat by large swathes of arable farmland and roads, and will not be directly impacted by current proposals.

Invasive Species

48. A number of non-native plant species have become established in UK ecosystems. In many cases these non-native flora are able to out-compete native species resulting in a detrimental impact on natives, and the faunal groups which rely on them. These species are listed on Schedule 9 of the Wildlife and Countryside Act (1981, as amended) and as such, it constitutes an offence to cause or allow their spread in the wild.
49. No species listed on this schedule were found on the site during the survey.

Evaluation

50. In evaluating the site the ecologist will take into account a number of factors in combination, such as;
- the baseline presented above,
 - the site's position in the local landscape,
 - its current management and
 - its size, rarity or threats to its integrity.
51. There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP (see appendices) and UK BAP to determine if the site supports any Priority habitats or presents any opportunities in this respect.
52. The assessment of impacts considers the proposals illustrated in Figure 2 from which potential effects include:
- Site preparation including vegetation and habitat removal
 - Direct effects on significant faunal groups or protected species
 - Effects on adjacent habitats or species such as disturbance, pollution and severance
 - Operation effects on wildlife such as noise and light disturbance

On site habitats

53. Current proposals will impact predominantly on intensively managed arable farmland which is of low ecological value. The change in use of this land will be of low ecological significance.
54. The young woodland which borders the site to the east represents higher value habitat which should, and based on current proposals, will be retained.
55. Although species poor, the hedgerow on site represents higher value habitat which also provides a connective feature across the site, and through the wider area. Current proposals see the majority of this hedgerow retained, however small areas will be lost in order to create access roads across the site. The loss of these areas should be easily mitigated for by the planting of species rich hedgerow elsewhere on site, this will ensure no net loss of this UK BAP habitat.

On site fauna

Bats

56. In order to determine the level of usage of the site by bats, a summer activity transect has been conducted in the peak activity season, in order to determine a baseline for foraging activity on the site, and determine the likely impact of the current proposals on local bat populations. The results from this survey are presented below.
57. Bat activity has been found to be low on the site during the peak activity season. With this in mind and based on the current proposals, the development will likely only have a negligible impact on local bat populations. Any potential impacts arising from increased lighting of the hedgerow and woodland boundaries can easily be negated by directing artificial lighting downwards, and away from these features.
58. Currently the proposals see a small section of the hedgerow being lost to facilitate access roads. Based on the results of the transect it is considered that the hedge does not represent an important commuting corridor, and the loss of the scale described in the proposals will have no significant impact on the foraging value of this feature.
59. A suitable lighting scheme, which directs all artificial lighting (i.e. flood lighting used during the construction phase, new street lighting, security lights) away from the woodland and boundary hedgerows. Any permanent lighting installed within close proximity to the woodland would ideally be motion activated and set to a short timer. No lighting should be installed within the woodland.

Nesting birds

60. All significant vegetation, i.e. trees, shrubs, scrub and hedgerows, found on site has the potential to support common garden birds during the nesting period (March-August).
61. To prevent the proposed works impacting on nesting birds any clearance of vegetation will need to be undertaken outside of the breeding bird season which is 1st March – 31st August inclusive. Any clearance that is required during the breeding bird season should be preceded by a nesting bird survey to ensure that the Wildlife and Countryside Act (1981) is not contravened through the destruction of nests and that any active nests are identified and adequately protected during the construction phase of the development.

Off site

62. Given the nature of the proposals, the development is very unlikely to have any implications for any locally designated or statutory sites in the wider area, which share no direct connections to the application site.

Enhancement

63. In line with planning guidance outlined in the National Planning Policy Framework (NPPF) development should take account of the value of ecosystem services and enhance ecological networks.
- The off site woodland to the west is already subject to successful management as a nature woodland. The ongoing management of this area post development is likely and will continue to provide a valuable habitat in a predominantly arable landscape.
 - Useful wildlife habitat could be provided in the form of bat boxes, nesting boxes and deadwood and rubble piles. These would all be targeted at the periphery of the site.
 - Much of the site will comprise amenity grassland. This would benefit from seeding and management as wildflower grassland, with a seed mix which would allow it to fulfil its function as amenity space, whilst also provide a valuable foraging resource for wildlife. An example of a suitable seed mix for this location would be 'EL1 flowering lawn mixture'*.

*available via Emorsgate Seeds <http://wildseed.co.uk/mixtures/view/56/flowering-lawn-mixture>

References

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Nature Conservation Committee (1990). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit*. NCC

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English Nature (2004) *Bat Mitigation Guidelines*. English Nature, Peterborough.

JNCC (2004) *The Bat Workers Manual*. 3rd Edition.

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<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>

Conservation of Habitats and Species Regulations 2010
<http://www.legislation.gov.uk/ukxi/2010/490/contents/made>

H. L. Andrews (2011) *A habitat key for the assessment of potential bat roost features in trees*.

Ratcliffe, D.A. (1977) *A Nature Conservation Review*, Cambridge University Press

Hedgerow Regulations (1997)
<http://www.legislation.gov.uk/ukxi/1997/1160/contents/made>

Appendix 1 Local BAP – City of York Biodiversity Action Plan

Table 1: Species Action Plans

Species/group
Great Crested Newt
Andrena ruficrus (Bee)
Bats
Bluebell
Dytiscus dimidiatus (Diving beetle)
Farmland Birds
Heath Cudweed
Limnophila fasciata (cranefly)
Lymnaea glabra (freshwater snail)
Marsh Carpet Moth
Paraphotistus nigricornis (beetle)
River Lamprey
Sea Lamprey
Tansy Beetle
Tasteless Water Pepper
Waved Water Beetle
Water Vole (Arvicola terrestris)
Depressed River Mussel (Pseudanodonta complanata)
Medicinal Leech (Hirudo medicinalis)
Agabus uliginosus (beetle)
Tooth fungus (Bankera fuligineoalba)
Freshwater White-clawed Crayfish (Austropotamobius pallipes)
Corncrake (Crex crex)
Bittern (Botaurus stellaris)
Crucifix ground beetle (Panagaeus cruxmajor)
Ground Beetle (Dromius sigma)
Ground Beetle (Amara famelica)

Table 2: Habitat Action Plans

Habitat
Acid grassland
Neutral grassland
Standing open water and canals
Fens and swamps
Heathland
Wet grassland



Appendix 2

Technical Report
Confidential

Folio No: D0905
Report No: 1
Client: BROOKS ECOLOGICAL
Order No: -
Attn: CHRISTOPHER SHAW
Date: 11.06.2015

TECHNICAL REPORT

EXAMINATION OF ENVIRONMENTAL DNA **IN POND WATER FOR THE DETECTION OF** **GREAT CRESTED NEWTS**

A. Stodolna



Sample overview

Sample	Co-Ordinates	Result
D0905	SE 55948 52672	Negative

Methodology

When Great Crested Newts (GCN) inhabit a pond, they deposit traces of their DNA in the water as evidence of their presence. By sampling the water we can analyse these small environmental traces to detect GCN inhabitation.

The laboratory testing is conducted in two phases. The sample first goes through an extraction process where all 6 tubes are pooled together to acquire as much eDNA as possible. The pooled sample is then tested via real time PCR (or q-PCR). This process amplifies select part of DNA allowing it to be detected and measured.

qPCR combines PCR amplification and detection into a single step. This eliminates the need to detect products using gel electrophoresis. With qPCR, fluorescent dyes specific to the target sequence are used to label PCR products during thermal cycling. The accumulation of fluorescent signal during the exponential phase of the reaction is measured for fast and objective data analysis.

The primers used in this process are specific to a part of mitochondrial DNA only found in GCN ensuring no other DNA is amplified.

Samples are tested in a clean room and the different phases of testing are kept separate to reduce any risk of cross contamination.

Each pooled sample is replicated 12 times to ensure results are accurate. If one of the twelve replicates tests positive the sample is declared positive. The sample is only declared negative if no replicates show amplification.



Results

Sample	Co-Ordinates	Positive Replicates	Negative Replicates	Result
D0905	SE 55948 52672	0	12	Negative

Advice

Negative results may not indicate the absence of GCN just the absence of eDNA above the detection limits of the method. It is still advised to survey a pond using traditional methods within 2km of a positive result or a known habitat for GCN.

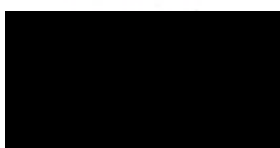
Positive results may be true positives but also may be due to contamination of samples from another pond or improper sampling technique. Please ensure traditional surveys are performed on positive ponds.

The number of positive replicates does not correspond to the size of the GCN population.

Reported By: **Agata Stodolna**








Analysed By: **Thomas Wood BSc(hons) LIBMS**





Appendix 3



-  Rank grassland
-  Arable Field
-  Broadleaf Woodland
-  Hedgerow
-  Tree



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 T: 01943 884451

Project: Land off Northfield Lane, Upper Poppleton
 Title: Ecological Features Plan

Drawing Number: D-2217-01.1
 Scale: Do not scale Date: June 2015

Revision:

CITY OF YORK COUNCIL LOCAL PLAN PRE-
PUBLICATION REGULATION 18 CONSULTATION

WHEATLANDS WOODLAND, YORK

PLANNING REPRESENTATION ON BEHALF OF
SBO LANDS LTD



Chartered Town Planning Consultants

October 2017

EXECUTIVE SUMMARY

This representation is for the removal of the designation of Wheatlands Woodland as a Site of Local Interest for Nature Conservation and as an objection to the designation of the site as existing open space under Policy G15.

The designation of the site as an SLI is not based in scientific evidence or justifiable from an ecological perspective. The site resembles a commercial tree plantation and does not have any ecological characteristics which are of notable nature conservation value or interest, as confirmed in the Ecological Report. The site is not part of a green corridor or stray and does not perform any of the functions of an SLI as outlined in the Biodiversity Action Plan.

There is a dearth of information accompanying the site's designation as an SLI and little indication of the precise meaning of SLI status in the Council's evidence base. From the perspective of the landowners, the designation of their land as an SLI without consultation or formal notification is intrusive, unjustified and unnecessary. Furthermore there is no policy justification for the designation in the Draft Local Plan. It is therefore requested that SLI designation is removed from the site.

Wheatlands Woodland is private land. There is no public access to the site nor is there any prospect the site will serve an open space function. It serves no recreational purpose. There is no functional or planning justification for the designation of the site as existing open space.

CONTENTS

- 1.0 INTRODUCTION
- 2.0 YORK LOCAL PLAN
- 3.0 THE SITE
- 4.0 SLI DESIGNATION
- 5.0 THE CASE FOR THE REMOVAL OF SLI DESIGNATION
- 6.0 CONCLUSION

APPENDICES

- 1. LOCATION PLAN
- 2. ECOLOGY REPORT

I.0 INTRODUCTION

- I.1 This statement is provided as a representation on behalf of SBO Lands Ltd for the removal of the designation of Wheatlands Woodland as a Site of Local Interest.

- I.2 Section 2 briefly summarises the current position of the Local Plan preparation.
Section 3 describes the representation site.
Section 4 describes summarises planning policy relevant to the SLI designation.
Section 5 sets out the case for the removal of SLI designation.
Section 6 provides a summary of the representation.

2.0 YORK LOCAL PLAN

- 2.1 The Council produced a Development Control Local Plan in 2005 but this has not been subject to Examination and is now out of date. The Council are preparing a new Local Plan. Consultation was undertaken on the preferred options draft of the plan in June 2013. A publication draft of the Plan was considered by the Council's Local Plan Working Group in September 2014 but in October 2014 work on the Draft Plan was halted. The Council published a Local Plan Preferred Sites Consultation Document for Consultation in July-September 2016.
- 2.2 The Council has recently published a Pre-Publication Draft Local Plan for Consultation in September – October 2017.

3.0 THE SITE

- 3.1 The site of approximately 2 hectares is shown edged in red on the attached Location Plan (Appendix I). The woodland is a wedge-shaped site which runs north to south along the A1237 York Ring Road, southwest of the junction with the A59.
- 3.2 To the north of the site are four detached dwellings with rear gardens. The A1237 York Ring Road runs to the east and Oakwood Business Park abuts the site to the south. Agricultural land and overgrown land associated with Wyevale Garden Centre lies to the west.
- 3.3 There are several businesses located within close proximity of the site, including a McDonald's restaurant and BP filling station on the other side of the A1237, as well as Luigi's Restaurant, Minster Vets, Oakwood Business Park and Northminster Business Park on Northfield Lane.
- 3.4 The site itself is covered in native broadleaf deciduous trees planted by the landowners in 1999 and resembles a typical commercial tree plantation. The trees are evenly spaced and arranged in rows on a north/south access. The site is accessed across private land but there is not public access to the woodland.

4.0 SITE OF LOCAL INTEREST FOR NATURE CONSERVATION AND EXISTING OPEN SPACE DESIGNATION

- 4.1 The 2013 City of York Biodiversity Action Plan constitutes part of the evidence base for the emerging York Local Plan. Wheatlands Woodland is designated as a Site of Local Interest for Nature Conservation (SLINC) and referred to as 'Wheatlands Reserve' in the Action Plan due to its interest as a native woodland plantation. No further information is provided to explain the rationale for this designation.
- 4.2 The Action Plan explains that SLINCs do not fully qualify as SINC (Sites of Importance for Nature Conservation) but do have significant wildlife interest that merits consideration. The document states that SLINCs can enable wildlife to move through the city or act as a buffer habitat but explains that 'sites that are, or are likely to become, increasingly isolated may have their overall value reduced.'
- 4.3 The woodland appears as an SLINC in the 2014 York Publication Draft Local Plan Proposals Map but there is no indication in the Local Plan Proposal Map as to which policies relate to the designation. Instead, Policy G11 relates to SINC and Green Infrastructure in general, while Policy G12 is concerned with biodiversity.
- 4.4 The site is designated as existing open space in on the Draft Local Plan Proposals Map. However, there is not right of public access to the land. The woodland is planted as commercial woodland and there is no barrier to the felling of the trees as a commercial crop.

5.0 THE CASE FOR THE REMOVAL OF SLINC and GI5 DESIGNATION

- 5.1 There is no scientific evidence or documentation to suggest that the site is of nature conservation value or interest. None of the trees are subject to a Tree Protection Order and they are all under 20 years old. The site is not recognised as part of a green corridor or stray as defined in the York Biodiversity Action Plan (2013). The Action Plan indicates that SLIs can enable wildlife to move through the city or act as a buffer habitat. However, there is no evidence to suggest that the site performs either of these roles.
- 5.2 An Ecological Appraisal undertaken in 2015 by Brooks Ecological Consultants states that the woodland is of limited nature conservation value. Further information received from Brooks Ecological indicates that the ecological value of the woodland is limited by its isolation from the wider landscape, disturbance by walkers, the young age of the trees and the lack of significant ground flora or understorey. It does not qualify as a 'habitat of principle importance' under the NERC act of 2006. Bat activity is low and there is no evidence of the presence of protected or notable species.
- 5.3 The York Biodiversity Action Plan states that the overall value of SLIs is diminished for 'sites that are, or are likely to become increasingly isolated'. There is development immediately to the north and south of the site and the York Ring Road runs along the eastern boundary of the site. The proposed residential allocation of Site H57 immediately to the northwest of the site would result in further development in close proximity, isolating the woodland from other undeveloped land.
- 5.4 The site is on private land and the trees were planted by the landowners in 1999. The owners have maintained the woodland at their own expense and allowed access to the public for recreation purposes such as dog-walking for a period of time. However, there is currently no public access through the site and the woodland has not received any public funding. Technically, the landowners are under no obligation to continue granting access to the site or even to retain the trees.
- 5.5 The process of designating a site as an SLI is not explained anywhere in the Council's evidence base and the landowners were never consulted or formally notified of its

designation. Furthermore, the implications of this designation for planning policy are not set out in the Biodiversity Action Plan or any other Council document.

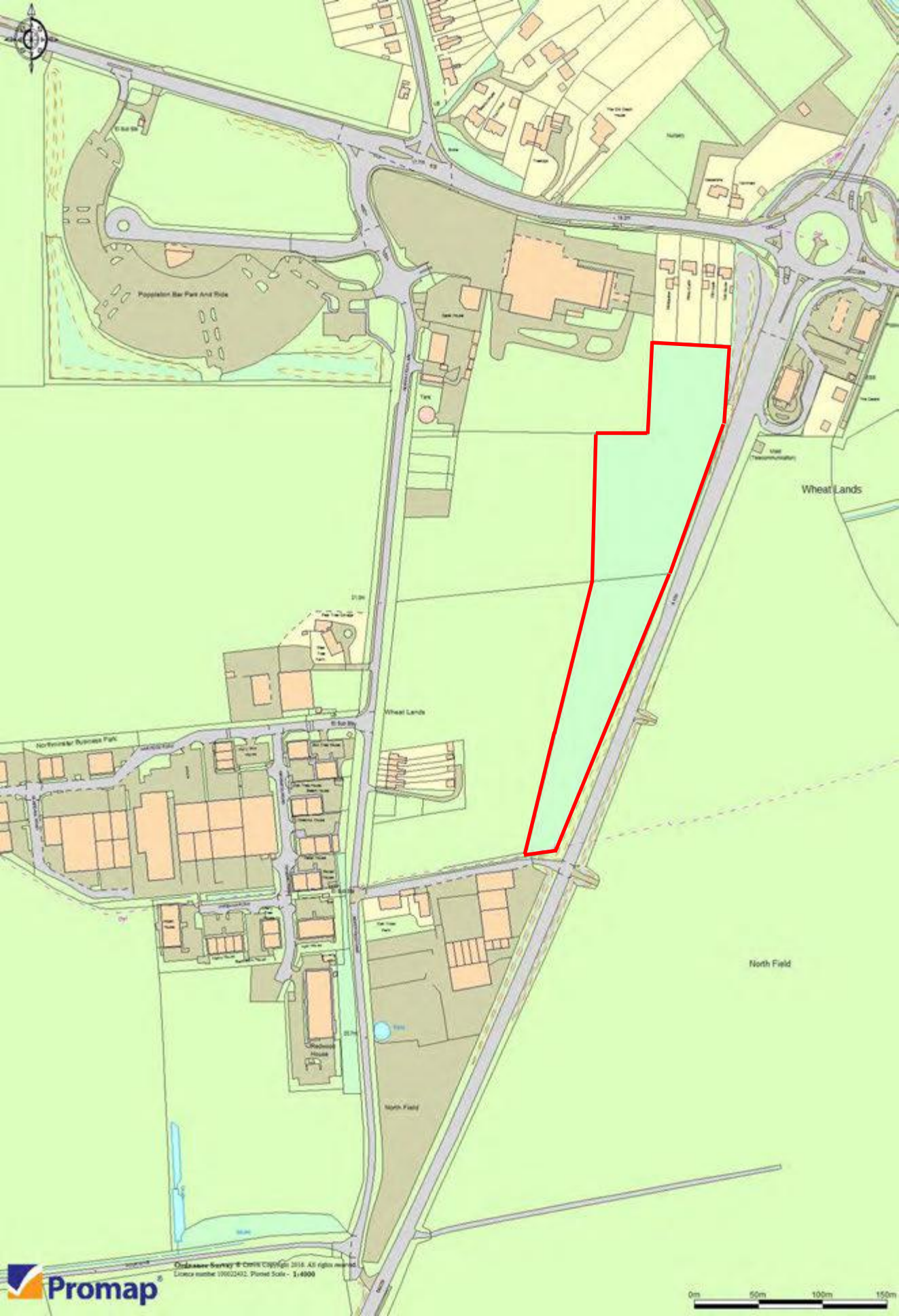
- 5.6 The site was previously used by dog-walkers and had amenity value for those who visited. However, recreation use and the presence of dogs in particular is known to reduce nature conservation value. A clear distinction must therefore be drawn between recreational use and nature conservation value. If SLI status can be granted without any basis in scientific evidence, the legitimacy and meaning of 'Site of Local Interest for Nature Conservation' designation is called into question.
- 5.7 Wheatlands Woodland is private land. There is no public access to the site nor is there any prospect the site will serve an open space function. It serves no recreational purpose. There is no functional or planning justification for the designation of the site as existing open space.

6.0 CONCLUSION

- 6.1 The designation of the site as an SLI is not based in scientific evidence or justifiable from an ecological perspective. The site resembles a commercial tree plantation and does not have any ecological characteristics which are of notable nature conservation value or interest. The site is not part of a green corridor or stray and does not perform any of the functions of an SLI as outlined in the Biodiversity Action Plan.
- 6.2 There is a dearth of information accompanying the site's designation as an SLI and little indication of the precise meaning of SLI status in the Council's evidence base. From the perspective of the landowners, the designation of their land as an SLI without consultation or formal notification is intrusive, unjustified and unnecessary. It is therefore requested that SLI designation is removed from the site.
- 6.3 The site is private land with no access to the public to use it as open space.

Appendix I

Location Plan



Population Bar Park And Ride

Wheat Lands

Wheat Lands

Northbrook Business Park

North Field

North Field

Database Survey © Crown Copyright 2016. All rights reserved.
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Appendix 2

Ecology Report

Morning Eamonn / Naomi,

In response to your query regarding the ecological value of the woodland surveyed by Brooks Ecological in 2015 –

This area comprises a young, planted area of Broadleaf woodland, the value of which is limited by

- its isolated location in the wider landscape
- regular disturbance by walkers.
- Young age of the woodland
- lack of significant ground flora / understorey

It does not qualify as a 'habitat of principle importance' under the NERC act (2006).

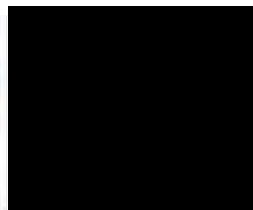
2015 survey did not identified evidence of any protected or otherwise notable species, and bat activity was found to be low.

The woodland is not considered a significant constraint to development – although in line with NPPF – if its loss is required, this should be mitigated for.

Let me know if you require further information.

Kind regards

Daniel Ross BSc (Hons)
Ecologist





**Preliminary Ecological Appraisal
Land off Northfield Lane, Upper Poppleton**

Report reference: R-2217-01
June 2015

Report Title:	Preliminary Ecological Appraisal Land off Northfield Lane, Upper Poppleton
Report Reference:	R-2217-01
Written by	Daniel Ross BSc (Hons) GradCIEEM Assistant Ecologist
Technical review:	Sam Kitching BSc (Hons) Grad CIEEM Ecologist
QA review:	Robert Weston BSc(Hons) MSc MCIEEM Technical Director
Approved for issue	Robert Weston BSc(Hons) MSc MCIEEM Technical Director
Date	19.06.15



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Summary Statement

Areas to be impacted by current proposals are of low ecological value, and their loss will have a negligible impact on the biodiversity of the area.

Summer Bat activity Transect in June 2015 confirmed low levels of activity of common species. Current proposals will likely have a negligible impact on local bat populations.

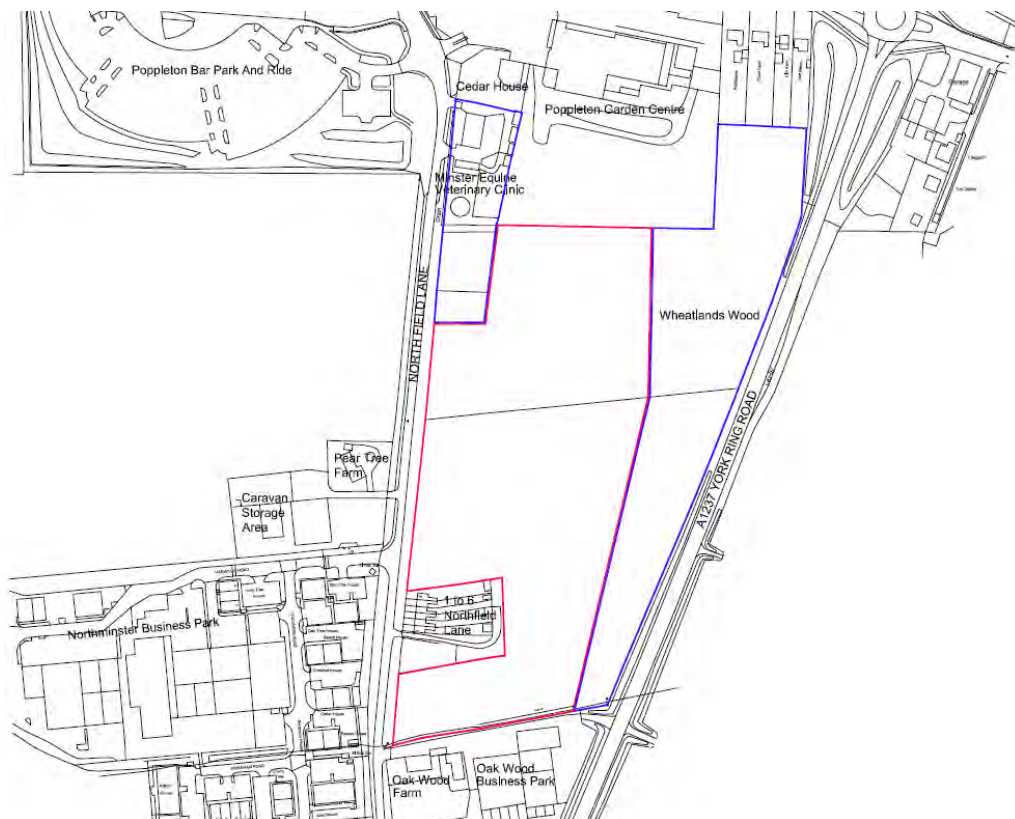
eDNA testing has confirmed the absence of great crested newt in a nearby pond to the south. No further survey effort is required with respect to great crested newt and their presence on site is considered very unlikely.

Recommendations are made for the enhancement of the site for wildlife.

Introduction

1. Brooks Ecological Ltd was commissioned by SBO Lands Ltd to carry out a Preliminary Ecological Appraisal of land off Northfield Lane, Upper Poppleton, York, North Yorkshire (SE 560 530).
2. The application site 'the site' encompasses two arable fields, to the south of the village of Upper Poppleton. The extent and location of the site is shown in Figure 1 below.

Figure 1 Survey site boundary (red line)



Proposals

3. The proposals plan (below) shows the conversion of the site into a touring caravan park. This will involve the incorporation of access road and amenities, and associated lighting.

Figure 2 Indicative proposals.



Site context

4. Aerial photographs published on commonly used websites were studied to place the site in its wider context and to look for ecological features that would not be evident on the ground during the walkover survey. This approach can be very useful in determining if a site is potentially a key part of a wider wildlife corridor or an important node of habitat in an otherwise ecologically poor landscape. It can also identify potentially important faunal habitat (in particular ponds) which could have a bearing on the ecology of the application site. Ponds may sometimes not be apparent on aerial photographs so we also refer to close detailed maps that identify all ponds issues and drains. We use Promap Street + scale maps for this purpose.
5. The site is located to the west of the city of York, surrounded in the immediate vicinity by -
 - An area of planted woodland bordering the site to the east (not in the application site, but covered by the scope of this report.)
 - built development along the southern boundary,
 - and a mixture of built development and arable farmland along the northern and western boundary.
6. The wider area comprises predominantly arable farmland to the west, with development associated with the western fringe of York found over arable fields to the east.

Wildlife corridors

7. The site is not connected to any strong wildlife corridors through the wider area. Movement of terrestrial wildlife to the north and east will be restricted by the A1237, and Roman Road (A59). Limited connectivity is apparent to the west, via arable field boundaries - however no significant valuable habitat is apparent in the wider area.

Water bodies

8. There are two water bodies apparent from mapping within 500m of the site shown on the figure below.

Figure 3 Local habitat / connectivity features



Figure 4 Ponds plan



- Pond 1 is located c.120m to the south within a motorhome storage compound –



Figure 5

View of off site pond located in motorhome storage c.120m to the south of the site (pond 1).

- Pond 2 is located c.250m to the south west of the site. This pond appears to form part of a drainage network and is pictured below. This pond is separated from the site by fields, recent development, and Northfield Lane.



Figure 6

View of off site pond (pond 2).

Statutory Designations

9. A search of the MAGIC (Multi-Agency Geographic Information for the Countryside) website was undertaken. The MAGIC site is a Geographical Information System that contains all statutory (e.g. Sites of Special Scientific Interest [SSSI's]) as well as many non-statutory listed habitats (e.g. ancient woodlands and grassland inventory sites). It is a valuable tool when considering the relationship of a potential development

site with nearby important habitats. In addition information from the local record holders has been requested on locally designated sites.

10. A single statutory designation is found within 2km of the application site. This is 'Clifton Ings and Rawcliffe Meadows' - a Site of Special Scientific Interest (SSSI), located c.1.8km to the west. The application site is sufficiently separated from this designation, sharing no similar habitat. As such potential negative impacts are considered very unlikely.
11. The development site lies within the Impact Risk Zone (IRZ) of this SSSI. Local planning authorities (LPAs) have a duty to consult Natural England before granting planning permission on any development that is in or likely to affect a SSSI. The SSSI IRZs can be used by LPAs to consider whether a proposed development is likely to affect a SSSI and determine whether they will need to consult Natural England to seek advice on the nature of any potential SSSI impacts and how they might be avoided or mitigated.
12. In this instance the proposed development does not fall into one of the categories which trigger the need for consultation with natural England.

Non-Statutory Designations

13. North and East Yorkshire Ecological Data Centre (NEYEDC) has provided information on locally designated sites.
14. Nine Sites of Importance for Nature Conservation (SINC) are found within a 2km search radius. The closest of these is located c.820m to the north east of the site. None of the SINC's are considered to be within the zone of influence of the development, nor do they share any direct physical connection, thus the proposals will have a negligible impact upon them.

Extended Phase 1 Habitat Survey

Method

15. The survey was carried out on the 14th April 2015 and followed Phase 1 habitat survey methodology (JNCC, 1993). This involves walking the site, mapping and describing different habitats (for example: woodland, grassland, scrub). The survey method was "Extended" in that evidence of fauna and faunal habitat was also recorded (for example droppings, tracks or specialist habitat such as ponds for breeding amphibians). This modified approach to the Phase 1 survey is in accordance with the approach recommended by the Guidelines for Baseline Ecological Assessment (IEA, 1995) and Guidelines for Preliminary Ecological Appraisal (CIEEM 2012).

Results

16. The site comprises two arable field separated and bordered by hedgerows and rank grass field margins. The site footprint is dominated by planted crops, and these will be the areas principally impacted by the proposed development.
17. The following habitats can be described within the application site and on its boundaries:
 - Arable Fields
 - Planted Broadleaf Woodland
 - Hedgerow & trees
 - Field margins.
 - Rank Grassland

Arable Fields

18. The majority of the site consists of planted cereal crop, which due to the application of herbicide, is devoid of any other significant vegetation.



Figure 7

View of southern most arable field looking south east from western boundary

Planted Broadleaf Woodland

19. Along the eastern boundary of the site is an area of young planted woodland which is managed for nature. A range of tree species are found here including common ash (*Fraxinus excelsior*), english oak (*Quercus robur*), wild cherry (*Prunus avium*) and field maple (*Acer campestre*). A number of shrub species are also found here including hawthorn (*Crataegus monogyna*), blackthorn (*Prunus spinosa*), guelder rose (*Viburnum opulus*) and hazel (*Corylus avellana*). Occasional areas of bramble (*Rubus fruticosus*) and nettle (*Urtica dioica*) scrub are also noted at points along the boundaries of this woodland.



Figure 8

View of young broadleaf woodland located along the sites eastern boundary.

20. Common grass species are found throughout this area, with more shaded areas, largeley devoid of vegetation. Species include perennial rye (*Lolium perenne*), cocksfoot (*Dactylis glomerata*) and fescues (*Festuca rubra* agg.), and a limited

range of common forbs such as creeping buttercup (*Ranunculus repens*), ribwort plantain (*Plantago lanceolata*), nettle (*Urtica dioica*), and ivy (*hedera helix*).

Hedgerow & trees

21. Hedgerow on site is species poor, being comprised of predominantly hawthorn (*Crataegus monogyna*) with occasional blackthorn alder (*Alnus glutinosa*) and sycamore (*Acer pseudoplatanus*). Much of the hedgerow appears to be infrequently managed, reaching a height of around c.3m, and width of c.2.5m.



Figure 9

View of the hawthorn hedgerow typical of the site.

22. Along the southern boundary, standards within the hawthorn hedgerow include Lombardy poplar (*Populus nigra 'italica'*), Oak (*Quercus sp.*), silver birch (*Betula pendula*) and sycamore (*acer psuedoplatanus*). Around gardens at the south west of the site species such as *Forsythia* are also found within hedgerow.
23. A single length of Leyland cypress (*Cupressocyparis leylandii*) runs along the northern part of the eastern boundary.
24. Along the western boundary along the road site, there is a line of mature balsam poplar (*Populus balsamifera*) with an understorey of elder (*Sambucus nigra*).



Figure 10

Looking south along the sites western boundary at line of balsam poplar.

Rank Grassland

- 25. An area of grassland is located in-between two sections of the planted woodland which runs along the eastern boundary of the application site. Common grass species such as cocksfoot (*Dactylis glomerata*) and Yorkshire fog (*Holcus lanatus*) dominate here, along with common forb species found elsewhere on site, such as creeping thistle (*Cirsium arvense*), white clover (*Trifolium repens*), Ribwort plantain (*Plantago lanceolata*), knapweed (*Centaurea nigra*), field horsetail (*Equisetum arvense*), as well as yarrow (*Achillea millefolium*), cowslip (*Primula veris*) and common sorrel (*Rumex acetosa*).
- 26. A similar composition of species make up the rank grass borders surrounding the fields with large amount of nettle (*Urtica dioica*) dominating in areas.



Figure 11

View of area of rank grassland between sections of broadleaf woodland off the sites northern boundary.



Figure 12

Example of rank grass boundary of arable fields.

Faunal appraisal

27. This section first looks at the types of habitat found on site or within the sphere of influence of potential development, then considers whether these could support protected , UKBAP or Local BAP (LBAP) priority species (referred to collectively as 'notable species'). A full list of LBAP priority species are provided in appendices.
28. Records of notable species supplied from a 2km area of search by North & East Yorkshire Ecological Data Centre (NEYEDC) are used to inform this appraisal.

Bats

Roosting

29. No built structures are located on site, and the trees on site lack the suitable features to support roosting bats.

Foraging

30. In the context of the wider area which is largely devoid of significant foraging resources, the hedgerow on site, and the woodland along its eastern boundary represent relatively high value foraging habitat. The current proposals detail the removal of part of the hedgerow which runs through the centre of the site, and additionally could result in increased light spillage onto the woodland boundary, and hedgerow / tree lines which surround the site.

31. Further bat survey is recommended in order to establish a baseline for bat activity on site, and therefore determine the likely impact of the proposals on local bat populations. The results of which are presented below

Method

32. The objectives of these surveys are to characterise how local bat populations currently make use of the site, so that an accurate assessment of the potential impacts of development on the site could be made. Surveys therefore set out to collect the following data (BCT survey guidelines 2012):

- The assemblage of bat species using the site;
- The relative frequency with which the site is used by different species;
- The nature of activity for different bat species, for example foraging, commuting and roosting.

33. The transect began around sunset and continued up to 2 hours after when all bats were thought to have emerged, and thus were actively foraging and commuting. Conditions and dates are summarised in table 1 below.

34. The transect was walked by a single surveyor, equipped with a heterodyne detector and recording device (Anabat Express). Notes taken during the survey were then used to produce the activity 'heat map' seen in the below figure. Activity was split into three categories; low irregular, low regular and medium regular. Low activity was classified as up to 2 individual bats, with medium being anything over 2.

Table 1: Survey summary

Survey	Date	Sunset	Weather	Invertebrate activity
Summer	18.06.15	20:46	13 °C, overcast, light wind	High

35. Surveys were directed by Rob Weston BSc (Hons) MSc MIEEM. Rob has many years experience of carrying out bat surveys in a professional capacity and is registered to use the new Class Survey Licence WML CL18 (Bat Survey Level 2). He is a member of the West Yorkshire Bat Group, the Bat Conservation Trust and runs training in bat surveys for student ecologists.

Results

36. Transect started on the western boundary of the site and followed a route (outlined in the figure below) which was repeated twice, and encompassed the entire application site, and the off site woodland to the west.
37. Bat activity was low during the survey, with only common pipistrelle being recorded, and only a single individual bat noted at any one time. The low foraging activity was focused around the woodland edge at the east of the site, and the hedgerow which intersects the two arable fields. Two incidences were noted of common pipistrelle bats flying across the centre of the site.

Figure 13 Bat transect summary



Static monitoring

38. At the time of writing this report the data from the period of static monitoring had not yet been returned. However judging from the results of the transect it is not expected that the data will show anything other than common species at low levels. Upon receipt of the monitoring data, an addendum will be issued.

Amphibians

39. The site is dominated by arable fields which represents relatively low value habitat for this group.
40. A single record of the protected great crested newt (GCN) has been returned from a location c.1.8km to the north east of the site. Although this record itself is disconnected from the site by busy roads and development, it does indicate that there is a population of this species in the wider area.
41. Both pond 1 & 2 were surveyed for GCN by 'Halcrow Group Limited' as part of a planning application (09/02294/FULM) for the Poppleton Park & Ride site. These surveys - now in the public domain - conducted in April / May 2008 confirmed the likely absence of GCN.
42. Given the time which has elapsed since these surveys, and the presence of GCN populations in the wider area, it is possible that GCN may have populated these ponds in the interim period. In order to confirm the continued absence of GCN, and ensure the proposed development does not impact on GCN, the closer and more suitable of these two ponds (pond 1) has been subject to further survey in the form of eDNA testing. These results were returned as negative, confirming the continued absence of GCN in pond 1. eDNA analysis results are supplied in Appendix 2.

Birds

43. Records were returned for a range of species, none of which are likely to depend on the site.
44. All significant vegetation, such as hedgerows and trees have the potential to support nesting birds, and standard precautions should be taken should any of this vegetation be removed as part of the development.

Reptiles

45. The site represents low value habitat for this group, and does not form part of any habitat corridors through the wider area which could facilitate the dispersal of

reptiles. Additionally, no records of reptiles were returned from within 2km and their presence on site is considered unlikely.

Terrestrial mammals

46. The majority of the site does not represent valuable habitat for any protected or otherwise notable mammal species.
47. Although records indicate badger populations as being present in the wider area, no evidence of badger activity could be found within suitable habitat on site. The woodland along the eastern boundary represents relatively high value habitat, however it is disconnected from other areas of suitable habitat by large swathes of arable farmland and roads, and will not be directly impacted by current proposals.

Invasive Species

48. A number of non-native plant species have become established in UK ecosystems. In many cases these non-native flora are able to out-compete native species resulting in a detrimental impact on natives, and the faunal groups which rely on them. These species are listed on Schedule 9 of the Wildlife and Countryside Act (1981, as amended) and as such, it constitutes an offence to cause or allow their spread in the wild.
49. No species listed on this schedule were found on the site during the survey.

Evaluation

50. In evaluating the site the ecologist will take into account a number of factors in combination, such as;
- the baseline presented above,
 - the site's position in the local landscape,
 - its current management and
 - its size, rarity or threats to its integrity.
51. There are a number of tools available to aid this consideration, including established frameworks such as Ratcliffe Criteria or concepts such as Favourable Conservation Status. Also of help is reference to Biodiversity Action Plans in the form of the Local BAP (see appendices) and UK BAP to determine if the site supports any Priority habitats or presents any opportunities in this respect.
52. The assessment of impacts considers the proposals illustrated in Figure 2 from which potential effects include:
- Site preparation including vegetation and habitat removal
 - Direct effects on significant faunal groups or protected species
 - Effects on adjacent habitats or species such as disturbance, pollution and severance
 - Operation effects on wildlife such as noise and light disturbance

On site habitats

53. Current proposals will impact predominantly on intensively managed arable farmland which is of low ecological value. The change in use of this land will be of low ecological significance.
54. The young woodland which borders the site to the east represents higher value habitat which should, and based on current proposals, will be retained.
55. Although species poor, the hedgerow on site represents higher value habitat which also provides a connective feature across the site, and through the wider area. Current proposals see the majority of this hedgerow retained, however small areas will be lost in order to create access roads across the site. The loss of these areas should be easily mitigated for by the planting of species rich hedgerow elsewhere on site, this will ensure no net loss of this UK BAP habitat.

On site fauna

Bats

56. In order to determine the level of usage of the site by bats, a summer activity transect has been conducted in the peak activity season, in order to determine a baseline for foraging activity on the site, and determine the likely impact of the current proposals on local bat populations. The results from this survey are presented below.
57. Bat activity has been found to be low on the site during the peak activity season. With this in mind and based on the current proposals, the development will likely only have a negligible impact on local bat populations. Any potential impacts arising from increased lighting of the hedgerow and woodland boundaries can easily be negated by directing artificial lighting downwards, and away from these features.
58. Currently the proposals see a small section of the hedgerow being lost to facilitate access roads. Based on the results of the transect it is considered that the hedge does not represent an important commuting corridor, and the loss of the scale described in the proposals will have no significant impact on the foraging value of this feature.
59. A suitable lighting scheme, which directs all artificial lighting (i.e. flood lighting used during the construction phase, new street lighting, security lights) away from the woodland and boundary hedgerows. Any permanent lighting installed within close proximity to the woodland would ideally be motion activated and set to a short timer. No lighting should be installed within the woodland.

Nesting birds

60. All significant vegetation, i.e. trees, shrubs, scrub and hedgerows, found on site has the potential to support common garden birds during the nesting period (March-August).
61. To prevent the proposed works impacting on nesting birds any clearance of vegetation will need to be undertaken outside of the breeding bird season which is 1st March – 31st August inclusive. Any clearance that is required during the breeding bird season should be preceded by a nesting bird survey to ensure that the Wildlife and Countryside Act (1981) is not contravened through the destruction of nests and that any active nests are identified and adequately protected during the construction phase of the development.

Off site

62. Given the nature of the proposals, the development is very unlikely to have any implications for any locally designated or statutory sites in the wider area, which share no direct connections to the application site.

Enhancement

63. In line with planning guidance outlined in the National Planning Policy Framework (NPPF) development should take account of the value of ecosystem services and enhance ecological networks.
- The off site woodland to the west is already subject to successful management as a nature woodland. The ongoing management of this area post development is likely and will continue to provide a valuable habitat in a predominantly arable landscape.
 - Useful wildlife habitat could be provided in the form of bat boxes, nesting boxes and deadwood and rubble piles. These would all be targeted at the periphery of the site.
 - Much of the site will comprise amenity grassland. This would benefit from seeding and management as wildflower grassland, with a seed mix which would allow it to fulfil its function as amenity space, whilst also provide a valuable foraging resource for wildlife. An example of a suitable seed mix for this location would be '*EL1 flowering lawn mixture*'*.

*available via Emorsgate Seeds <http://wildseed.co.uk/mixtures/view/56/flowering-lawn-mixture>

References

IEA. (1995). *Guidelines for Baseline Ecological Assessment*. Chapman and Hall

Nature Conservation Committee (1990). *Handbook for Phase 1 Habitat Survey: A technique for environmental audit*. NCC

CIEEM. (2013). *Guidelines for Preliminary Ecological Appraisal*. CIEEM

Bat Conservation Trust (2012) *Bat Surveys – Good Practice Guidelines*

English Nature (2004) *Bat Mitigation Guidelines*. English Nature, Peterborough.

JNCC (2004) *The Bat Workers Manual*. 3rd Edition.

ODPM circular 06/05 (2005) *Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within the Planning System*
<http://www.communities.gov.uk/publications/planningandbuilding/circularbiodiversity>

Conservation of Habitats and Species Regulations 2010
<http://www.legislation.gov.uk/ukxi/2010/490/contents/made>

H. L. Andrews (2011) *A habitat key for the assessment of potential bat roost features in trees*.

Ratcliffe, D.A. (1977) *A Nature Conservation Review*, Cambridge University Press

Hedgerow Regulations (1997)
<http://www.legislation.gov.uk/ukxi/1997/1160/contents/made>

Appendix 1 Local BAP – City of York Biodiversity Action Plan

Table 1: Species Action Plans

Species/group
Great Crested Newt
Andrena ruficrus (Bee)
Bats
Bluebell
Dytiscus dimidiatus (Diving beetle)
Farmland Birds
Heath Cudweed
Limnophila fasciata (cranefly)
Lymnaea glabra (freshwater snail)
Marsh Carpet Moth
Paraphotistus nigricornis (beetle)
River Lamprey
Sea Lamprey
Tansy Beetle
Tasteless Water Pepper
Waved Water Beetle
Water Vole (Arvicola terrestris)
Depressed River Mussel (Pseudanodonta complanata)
Medicinal Leech (Hirudo medicinalis)
Agabus uliginosus (beetle)
Tooth fungus (Bankera fuligineoalba)
Freshwater White-clawed Crayfish (Austropotamobius pallipes)
Corncrake (Crex crex)
Bittern (Botaurus stellaris)
Crucifix ground beetle (Panagaeus cruxmajor)
Ground Beetle (Dromius sigma)
Ground Beetle (Amara famelica)

Table 2: Habitat Action Plans

Habitat
Acid grassland
Neutral grassland
Standing open water and canals
Fens and swamps
Heathland
Wet grassland



Appendix 2

Technical Report
Confidential

Folio No: D0905
Report No: 1
Client: BROOKS ECOLOGICAL
Order No: -
Attn: CHRISTOPHER SHAW
Date: 11.06.2015

TECHNICAL REPORT

EXAMINATION OF ENVIRONMENTAL DNA **IN POND WATER FOR THE DETECTION OF** **GREAT CRESTED NEWTS**

A.Stodolna



Sample overview

Sample	Co-Ordinates	Result
D0905	SE 55948 52672	Negative

Methodology

When Great Crested Newts (GCN) inhabit a pond, they deposit traces of their DNA in the water as evidence of their presence. By sampling the water we can analyse these small environmental traces to detect GCN inhabitation.

The laboratory testing is conducted in two phases. The sample first goes through an extraction process where all 6 tubes are pooled together to acquire as much eDNA as possible. The pooled sample is then tested via real time PCR (or q-PCR). This process amplifies select part of DNA allowing it to be detected and measured.

qPCR combines PCR amplification and detection into a single step. This eliminates the need to detect products using gel electrophoresis. With qPCR, fluorescent dyes specific to the target sequence are used to label PCR products during thermal cycling. The accumulation of fluorescent signal during the exponential phase of the reaction is measured for fast and objective data analysis.

The primers used in this process are specific to a part of mitochondrial DNA only found in GCN ensuring no other DNA is amplified.

Samples are tested in a clean room and the different phases of testing are kept separate to reduce any risk of cross contamination.

Each pooled sample is replicated 12 times to ensure results are accurate. If one of the twelve replicates tests positive the sample is declared positive. The sample is only declared negative if no replicates show amplification.



Results

Sample	Co-Ordinates	Positive Replicates	Negative Replicates	Result
D0905	SE 55948 52672	0	12	Negative

Advice

Negative results may not indicate the absence of GCN just the absence of eDNA above the detection limits of the method. It is still advised to survey a pond using traditional methods within 2km of a positive result or a known habitat for GCN.

Positive results may be true positives but also may be due to contamination of samples from another pond or improper sampling technique. Please ensure traditional surveys are performed on positive ponds.

The number of positive replicates does not correspond to the size of the GCN population.

Reported By: **Agata Stodolna**








Analysed By: **Thomas Wood BSc(hons) LIBMS**





Appendix 3



-  Rank grassland
-  Arable Field
-  Broadleaf Woodland
-  Hedgerow
-  Tree

Rear Tree Farm

Caravan Storage Area

1 to 6 Northfield Lane

Poppleton Garden Centre

Minster Equine Veterinary Clinic

Wheatlands Wood

A1237 YORK RING ROAD

NORTHFIELD LANE



Unit A, 1 Station Road
 Guiseley
 Leeds
 LS20 8BX
www.brooks-ecological.co.uk
 T: 01943 884451

Project: Land off Northfield Lane, Upper Poppleton
 Title: Ecological Features Plan
 Drawing Number: D-2217-01.1
 Scale: Do not scale Date: June 2015
 Revision: _____

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 24 March 2018 12:59
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104614

Date submitted: 24/03/2018

Time submitted: 12:59:21

Thank you for submitting your Local Plan Publication Draft response form (ref: 104614, on 24/03/2018 at 12:59:21) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Barry

Surname: abraham

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I think this form is deliberately intimidating to prevent people expressing their democratic right to a voice

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified,not effective,not consistent with national policy

Please give reasons for your answer(s):

Can I start by saying it feels wrong that this is the fourth time we have had to complain regarding this development over the last few years. It feels that the constant consultations and resubmissions are an attempt to generate “protest fatigue in the locals”. This is against natural justice.

The issues are still the same. The road network combined with the railway crossings in the village already lead to unacceptable congestion around peak times. 735 new houses with 1-2 cars will continue to make that worse. Building on greenbelt is unacceptable it changes the feel of the village. The local amenities such as road surface and schools cannot cope with the increase. We have already seen Haxby and Wiggington merge into one village, this is going to now join up to Strensall. There are many brown field sites in York that should be developed and also areas inside the ring road that would not encroach on the countryside. York is a special place and to encroach on the greenbelt ruins this.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ST9 Land North of Haxby

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Remove ST9 from the plan

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? Yes hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

To stop greenbelt being tarmacked over

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 24 March 2018 13:03
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104615

Date submitted: 24/03/2018

Time submitted: 13:03:23

Thank you for submitting your Local Plan Publication Draft response form (ref: 104615, on 24/03/2018 at 13:03:23) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Clare

Surname: Abrahamam

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I feel unable to make judgment as I have no legal qualification

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified,not effective,not consistent with national policy

Please give reasons for your answer(s):

The road network combined with the railway crossings in the village already lead to unacceptable congestion around peak times. 735 new houses with 1-2 cars will continue to make that worse. Building on greenbelt is unacceptable it changes the feel of the village. The local amenities such as road surface and schools cannot cope with the increase. We have already seen Haxby and Wiggington merge into one village, this is going to now join up to strensall. There are many brown field sites in York that should be developed and also areas inside the ring road that would not encroach on the countryside. York is a special place and to encroach on the greenbelt ruins this.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ST9 Land North of Haxby

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Do not build on ST9

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? Yes hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

We must protect our countryside

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 24 March 2018 13:08
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104616

Date submitted: 24/03/2018

Time submitted: 13:08:02

Thank you for submitting your Local Plan Publication Draft response form (ref: 104616, on 24/03/2018 at 13:08:02) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Joseph

Surname: Abraham

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

Outside my area of knowledge

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified,not effective,not consistent with national policy

Please give reasons for your answer(s):

I want to ride my bike round Haxby. The roads are already busy and this makes it worse. Getting to school is difficult as there is lots of traffic, more houses and more cars will make this worse.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ST9 Land North of Haxby

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Don't build ST9

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: Andrew Montgomery [REDACTED]
Sent: 24 March 2018 17:07
To: localplan@york.gov.uk
Subject: Response to request for consultation comments
Attachments: Consultation Response - AM.pdf

Dear Sir/Madam

Please find attached my comments on the consultation draft.

Kind Regards

Andrew Montgomery

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr.	
First Name	Andrew	
Last Name	Montgomery	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		

Telephone Number		
------------------	--	--

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

I am unable to locate the Duty to Co-Operate statement referred to on the york.gov web site. I therefore cannot verify what the duty to co-operate is and form a view concerning whether or not it has been complied with

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes

No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Section 3,
15.8, 15.9

Policy Ref.

DM1

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The plan shows a bias towards development in the North, but the roads infrastructure is available in the South (dual carriageway A64) and is already heavily congested to the North (Single carriageway A1237 with congested roundabouts). There is therefore a mismatch between resource availability and the location of planned developments in the plan. The plan has unsubstantiated hopes to upgrade infrastructure after developments to the North are in place. The plan also states that the costs of required infrastructure are too high for developers to bear. The tax payer is being asked to subsidise this over-development of the North. Development of infrastructure after schemes are built is too late as the infrastructure is needed before construction begins as construction traffic will further exacerbate an already bad infrastructure situation. Before there is any approval for further development to the North of York the A1237 needs to be duelled with an effective solution in place for grade separated major junctions (i.e. avoid conflict being traffic going to central York and traffic travelling around the ring road). Drainage is also a major concern which has been highlighted in pre-publication comments. The plan acknowledges that Haxby sewers cannot take the increased load and therefore requires connection to the Strensall treatment works. I note Strensall are also objecting on the grounds that their facilities are at capacity. Schools, Health Centres, shops, local parking are all significant infrastructure issues. All are currently at or beyond capacity in Haxby and cannot accommodate the sizeable building envisaged by the plan. Jobs are not available in Haxby / Wigginton so this dormitory community will be travelling to York, Leeds and beyond for work. A plan which seeks to build thousands of homes in a location with overloaded infrastructure without first demonstrating a funded plan to upgrade the infrastructure before the building is in place cannot be considered sound – in fact it is downright irresponsible.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Reconsider the plan to relocate developments to the South of the city where the roads infrastructure is better able to cope. Lower taxpayer subsidies should be achievable by moving the bias to the South of the city.

Demonstrate an acceptance that infrastructure investment is a required precondition to development proceeding and identify funding sources or make suitable commitments to planning constraints that will be added to any planning approvals (i.e. before the scheme proceeds stated infrastructure developments will have taken place or the developer will provide funding to the council to enable the infrastructure developments to take place)

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

24/3/2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 24 March 2018 18:46
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104625

Date submitted: 24/03/2018

Time submitted: 18:46:19

Thank you for submitting your Local Plan Publication Draft response form (ref: 104625, on 24/03/2018 at 18:46:19) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr.

Forename: Peter

Surname: Heptinstall

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I do not consider the plan to be legally compliant as it does not comply with NPPF.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified,not consistent with national policy

Please give reasons for your answer(s):

I do not believe the local plan is sound. My belief is founded on the following points: -

It is NOT JUSTIFIED. To be justified it should be the most appropriate strategy when considered against reasonable alternatives.

- The placing of travelling show people's (TSPs) sites within greenbelt is against NPP, yet despite the CYC including a new brownfield site in the plan on the Elvington airfield site, they persist in planning to allow TSP to settle in greenbelt rather than on the legally allowable brownfield site.
- The site at the stables has long been regarded as greenbelt and was such when the site was transferred from Selby district to CYC.
 - o Any attempt by CYC to alter the status of the stables site must be regarded as inappropriate, self serving and furthermore unnecessary whilst brownfield sites are available within the local area.

It is NOT CONSISTENT WITH NATIONAL POLICY.

- The inclusion of TSP sites within greenbelt is against NPPF unless there are exceptional circumstances.
 - o The planning inspectorate have previously ruled against allowing permanent settling of the Stables site, allowing instead only a five year temporary residence whilst CYC found alternative sites.
 - ♣ This indicates that the planning inspectorate have previously reviewed the case and found there to be no exceptional circumstances.
 - o As noted above, brownfield sites in the near vicinity are available.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Provision of three travelling showpeoples plots on The Stables site, York Road, Elvington

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further

representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

To make the local plan legally compliant and sound with regard to the provision of TSP sites, the plan should refuse planning permission for the development of The Stables site, insisting that it is returned to the greenfield condition it was in prior to the TSP moving in. It should then make provision for their accommodation on the new brownfield site at the airfield (or elsewhere within the local area).

This would be in keeping with the Planning Inspectorate's original decision regarding the site, which was that permanent settlement should not be allowed. Furthermore, that the site should be cleared within five years of that decision (2011) and returned to its original state.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 25 March 2018 13:02
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Green Category

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104642

Date submitted: 25/03/2018

Time submitted: 13:01:51

Thank you for submitting your Local Plan Publication Draft response form (ref: 104642, on 25/03/2018 at 13:01:51) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Andy

Surname: Mulholland

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I assume technical legal details have been adhered to, this does not mean I agree with all the proposals.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to

explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared

Please give reasons for your answer(s):

The requirement and to some extent the scale of the proposal for housing is not a problem, it is the lack of any coherent information about infrastructure to support the new housing and the existing village both through the period of construction and once the population has increased that is worrying. Without clearer indications of infrastructure intentions I do not believe this to be well or positively prepared.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ST9

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

By showing residents where access road will go, predicted traffic flows in the new and older parts of Haxby and Wigginton and the effects on the ring road. By guaranteeing levels of services needed in the future with a higher population before this becomes a problem, including, drainage, schools, doctor and dentist availability, library, bus or train connections, elderly care and many others.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

[REDACTED]

From: Heslington PC [REDACTED]
Sent: 25 March 2018 16:29
To: localplan@york.gov.uk
Subject: City of York Council Local Plan Consultation Response 1 of 2
Attachments: CYCLocalPlanResponse ST27_FINAL2.pdf; CYCLocalPlanResponse ST27_FINAL2.pdf

Dear Sir/Madam

Please see attached a response on behalf of Heslington PC

Yours faithfully

Fiona Hill
Parish Clerk

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mrs	
First Name	Fiona	
Last Name	Hill	
Organisation (where relevant)	Heslington Parish Council	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does „legally compliant“ mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

The NPPF states that protecting the Green Belt remains sacrosanct, only in exceptional circumstances should there be releases. Brown Field before Green Belt.

It is not clear the Council has provided the proof of “exceptional” circumstances.

What does „Sound“ mean?

Soundness may be considered in this context within its ordinary meaning of ‘fit for purpose’ and ‘showing good judgement’. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework’s four ‘tests of soundness’ listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan “sound”?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes

No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

York University East Campus has the potential to provide all identified further university uses. The NPPF supports more optimum and intensive use of developed land. The Secretary of State, from the Public Inquiry, particularly commented that the lake and wetland area will provide a positive limit to built development to the south of the Heslington East site and help Heslington still preserves its unique rural village character.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Heslington Parish Council would welcome full and well-justified reasons as to why the development (ST27) has been put-forward as being necessary in the proposed location for further university uses that cannot be incorporated into the two existing campuses. When planning policy discourages development in the green belt, it is difficult to understand why this would be permitted beyond development boundaries. HPC would like to see the cumulative traffic flow impacts from local proposed developments - ST15, ST27, H56 and the ST4 analysed by CYC/Developers to evidence that there will be no adverse traffic congestion for Hull Road, Field Lane, University Road and Heslington Lane.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Heslington Parish Council supports York and its thriving universities, but not at the cost of historic setting and character of York and Heslington village.

Heslington Parish has more strategic site allocations than anywhere else in York

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

23 March 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Heslington PC [REDACTED]
Sent: 25 March 2018 16:31
To: localplan@york.gov.uk
Subject: City of York Council Local Plan Consultation Response 2 of 2
Attachments: CYCLocalPlanResponse ST15_FINAL2.pdf

Dear Sir/Madam

Please see attached a response on behalf of Heslington PC

Yours faithfully

Fiona Hill
Parish Clerk

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mrs	
First Name	Fiona	
Last Name	Hill	
Organisation (where relevant)	Heslington Parish Council	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does „legally compliant“ mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

The NPPF states that protecting the Green Belt remains sacrosanct, only in exceptional circumstances should there be releases. Brown Field before Green Belt.

It is not clear the Council has provided the proof of “exceptional” circumstances.

What does „Sound“ mean?

Soundness may be considered in this context within its ordinary meaning of ‘fit for purpose’ and ‘showing good judgement’. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework’s four ‘tests of soundness’ listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan “sound”?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no. Policy Ref. Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Brown field site or green belt land?

In developing this site, a considerable amount of productive agricultural land within the Green Belt will be lost for infrastructure provision. This is in addition to approx 139 hectares taken out of arable production for OS10 which will be required for mitigation due to the very close proximity of both SSSI and SINC sites. There is no proof that mitigation can compensate for pollution damage: water, air, soil, noise, light, increased footfall and pet predation, to these two highly sensitive areas and irreplaceable habitats.

Building the right homes in the right place

With regards to „soundness“, HPC would appreciate seeing the reasoning behind rejecting alternative sites and selecting site ST15. The farmed land is productive, best and most versatile arable land, with the economic and other benefits.

This is a “stand alone” site that requires extensive mitigation measures and infrastructure. Infrastructure that will join already highly congested roads.

- The site is remote, with no access
- It is listed correctly as primarily a Brown field site, but a tremendous amount of infrastructure (amenities, roads, traffic) would be across green belt
- The site is good agricultural land, which would be lost
- The SSSI would be at serious risk from dog walker disturbing ground nesting birds
- The area is of high environmental value SINC site especially regarding skylarks

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Heslington Parish Council (HPC) would welcome full and well-justified reasons as to why the development (ST15) has been put-forward in the proposed location as opposed to other sites. When planning policy discourages development in the green belt, it is difficult to understand why a stand alone development would be permitted on this scale with the need for extensive infrastructure to connect to the existing network. HPC would like to see the cumulative traffic flow impacts from local proposed developments - ST15, ST27, H56 and the ST4 analysed by CYC/Developers to evidence that there will be no adverse traffic congestion for Hull Road, Field Lane, University Road and Heslington Lane.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Heslington Parish has more strategic site allocations than anywhere else in York

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

21 March 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 04 April 2018 11:23
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 105136

Date submitted: 04/04/2018

Time submitted: 11:22:50

Thank you for submitting your Local Plan Publication Draft response form (ref: 105136, on 04/04/2018 at 11:22:50) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Group comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Fiona

Surname: Hill

Name of the organisation/individual/group you're representing: Heslington Parish Council

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The NPPF states that protecting the Green Belt remains sacrosanct, only in exceptional circumstances should there be releases. Brown Field before Green Belt. It is not clear the Council has provided the proof of "exceptional" circumstances.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified,not effective

Please give reasons for your answer(s):

Brown field site or green belt land?

In developing this site, a considerable amount of productive agricultural land within the Green Belt will be lost for infrastructure provision. This is in addition to approx 139 hectares taken out of arable production for OS10 which will be required for mitigation due to the very close proximity of both SSSI and SINC sites. There is no proof that mitigation can compensate for pollution damage: water, air, soil, noise, light, increased footfall and pet predation, to these two highly sensitive areas and irreplaceable habitats.

Building the right homes in the right place

With regards to „soundness”, HPC would appreciate seeing the reasoning behind rejecting alternative sites and selecting site ST15. The farmed land is productive, best and most versatile arable land, with the economic and other benefits.

This is a “stand alone” site that requires extensive mitigation measures and infrastructure.

Infrastructure that will join already highly congested roads.

-The site is remote, with no access

-It is listed correctly as primarily a Brown field site, but a tremendous amount of infrastructure (amenities, roads, traffic) would be across green belt

-The site is good agricultural land, which would be lost

-The SSSI would be at serious risk from dog walker disturbing ground nesting birds

-The area is of high environmental value SINC site especially regarding skylarks

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Policy ref SS13 Site ref ST15/OS10

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Heslington Parish Council (HPC) would welcome full and well-justified reasons as to why the development (ST15) has been put-forward in the proposed location as opposed to other sites. When planning policy discourages development in the green belt, it is difficult to understand why a stand alone development would be permitted on this scale with the need for extensive infrastructure to connect to the existing network. HPC would like to see the cumulative traffic flow impacts from local proposed developments - ST15, ST27, H56 and the ST4 analysed by CYC/Developers to evidence that there will be no adverse traffic congestion for Hull Road, Field Lane, University Road and Heslington Lane.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? Yes hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

Heslington Parish has more strategic site allocations than anywhere else in York

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 04 April 2018 11:34
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 105139

Date submitted: 04/04/2018

Time submitted: 11:34:09

Thank you for submitting your Local Plan Publication Draft response form (ref: 105139, on 04/04/2018 at 11:34:09) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Group comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Fiona

Surname: Hill

Name of the organisation/individual/group you're representing: Heslington Parish Council

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? No, I do not consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The NPPF states that protecting the Green Belt remains sacrosanct, only in exceptional circumstances should there be releases. Brown Field before Green Belt. It is not clear the Council has provided the proof of "exceptional" circumstances

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified,not effective

Please give reasons for your answer(s):

York University East Campus has the potential to provide all identified further university uses. The NPPF supports more optimum and intensive use of developed land. The Secretary of State, from the Public Inquiry, particularly commented that the lake and wetland area will provide a positive limit to built development to the south of the Heslington East site and help Heslington still preserves its unique rural village character.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Policy ref SS22 , site ref ST27

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Heslington Parish Council would welcome full and well-justified reasons as to why the development (ST27) has been put-forward as being necessary in the proposed location for further university uses that cannot be incorporated into the two existing campuses. When planning policy discourages development in the green belt, it is difficult to understand why this would be permitted beyond development boundaries. HPC would like to see the cumulative traffic flow impacts from local proposed developments - ST15, ST27, H56 and the ST4 analysed by CYC/Developers to evidence that there will be no adverse traffic congestion for Hull Road, Field Lane, University Road and Heslington Lane.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? Yes hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

Heslington Parish Council supports York and its thriving universities, but not at the cost of historic setting and character of York and Heslington village.

Heslington Parish has more strategic site allocations than anywhere else in York

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 25 March 2018 17:51
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104651

Date submitted: 25/03/2018

Time submitted: 17:51:18

Thank you for submitting your Local Plan Publication Draft response form (ref: 104651, on 25/03/2018 at 17:51:18) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Richard

Surname: Horner

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town):

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

NO

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified

Please give reasons for your answer(s):

Not enough consideration is made to the Local Road network, investment in the local road network must be made before this plan can be justified.

This is the same for Schools and drainage

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: N/A

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Consider further the impact on Roads, schools and Drainage. If this is done then the plan in my view is sound.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? Yes hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

You can put all this complicated legal jargons in place to put people of contributing, therefore I would like to attend to understand better the impact on the local area. rather than discussing this with Haxbys aggressive local councillor.

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

[Redacted]

From: Derek Jones [Redacted]
Sent: 25 March 2018 17:56
To: localplan@york.gov.uk
Subject: Public Consultation: Local Plan Publication Draft

I am writing to offer my support for the recently published Local Plan Publication draft.

I am particularly pleased to note that all references to land identified as ‘safeguarded’, a contradiction in terms if ever there was one!, have been removed from the Plan by the current Administration. It is important that the land identified for future development is plain and clear for residents to see and this current Draft is a huge improvement in terms of Greenbelt protection over the Plan period. I feel that it is imperative that the City Council ensures it is proactive in encouraging a ‘brownfield first’ attitude with development.

Along with the majority of residents within Earswick village I am pleased to note and fully support the removal of Site SF14 from the latest draft of the Plan and the (inferred) suggestion that there should be no development within, or changes to, the existing Green Belt within the parish boundary of Earswick.

Yours sincerely

Derek Jones
[Redacted]
[Redacted]
[Redacted]
[Redacted]

**City of York Local Plan
Publication Draft 2018
Consultation response form
21 February – 4 April 2018**

OFFICE USE ONLY: ID reference	<p>RECEIVED</p> <p>27 MAR 2018</p> <p>BY: _____</p>
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This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MR	/
First Name	LEONARD	
Last Name	OBILVY	
Organisation (where relevant)	-	
Representing (if applicable)	-	
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

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Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

Trust (over 18 years) in City of York Council.

What does 'Sound' mean?

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What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

*My trust in City of York Council over
some 18 years.*

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

OK

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Not necessary ✓.

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

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Storing your information and contacting you in the future:

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Retention of Information

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Signature



Date

19/03/2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:
ID reference: **RECEIVED**
27 MAR 2018
BY: _____

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	MRS	/
First Name	ANNABELLE	
Last Name	OGILBY	
Organisation (where relevant)	-	
Representing (if applicable)	-	
Address – line 1	[REDACTED]	
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight. Representations received after this time will not be considered duly made.

Guidance note

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Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

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Yes , No

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5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared	<input type="checkbox"/>	Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>

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(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

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Not necessary ✓

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Signature



Date

19/03/2018.

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 26 March 2018 11:08
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104672

Date submitted: 26/03/2018

Time submitted: 11:07:46

Thank you for submitting your Local Plan Publication Draft response form (ref: 104672, on 26/03/2018 at 11:07:46) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Robert

Surname: Gibson

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

No detailed comment

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not effective

Please give reasons for your answer(s):

The proposed allocation of land north of Haxby (ST9) for housing development (up to 735 dwellings) does not take account of the wider infrastructure needs required to support increasing the housing numbers to this extent. In particular the capacity of the local road network is not sufficient to accommodate the large increase in the number of motor vehicles that will result if this land is developed on this scale and capacity. The links and queues from both Haxby and Wiggington, both on to and from the York bypass, currently at peak periods are already beyond the capacity for the roads. The development of this land on this scale will make this situation intolerable and have a severely negative impact lives of both existing and new residents in Haxby and the surrounding areas. If this land is to be developed further consideration needs to be give to transport policies - including the need to upgrade and dual the York By pass.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: ST9 : Land north of Haxby

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

See comments on page 6

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: [REDACTED]
Sent: 26 March 2018 11:53
To: localplan@york.gov.uk
Cc: Anne Dransfield; John Goodsir; Edward Renvoize
Subject: Draft Local Plan Submission - Skelton Village Action Group
Attachments: Local Plan 2018 SVAG.pdf

Please find attached the submission from the Skelton Village Action Group.

Regards
J D Watt

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

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Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Joseph	
Last Name	Watt	
Organisation (where relevant)	Skelton Village Action Group – see attached membership list	
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Telephone Number



Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

3. To which document does your response relate? (Please tick one)

X City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

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4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

We know of no reasons to doubt legal compliance or that the Duty to Cooperate was not fulfilled.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

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5.(1) Do you consider the document is Sound?

Yes

No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

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Justified

Effective

Consistent with national policy

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(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The Skelton Village Action Group (SVAG) supports the inclusion of all brownfield sites and the 'brownfield site first' approach. It is, therefore, disappointing to see large areas of Green Belt land usage in the Plan and we object strongly to site **ST14**'s use of 55 hectares of prime agricultural land. It is completely unacceptable for the Council to adopt the ambitious landowner-pushed sites and the developer-led solution to favour Green Belt development simply because it is easier, cheaper and quicker to achieve than brownfield development.

The limited transport modelling on the effect of Local Plan developments on the A1237 Northern Outer Ring Road, is also a major concern. Traffic congestion on the A1237 is already at critical levels. During the working week, A1237 congestion adversely impacts York businesses by delaying commercial vehicle movements. At weekends, although there are fewer large commercial vehicles on the Ring Road, there is a significant increase in car traffic. This latter increase worsened following the opening of the Vangarde Centre – which is still expanding - and will worsen further with the proposed nearby Strategic developments. Furthermore, congestion around Clifton Moor, adjacent to **ST14**, coupled to poor public transport, has caused local businesses recruitment and workforce retention problems for many years. Therefore, adding thousands more households to the consultation 'Area 1', plus several thousand more in 'Area 5' will assure Northern Ring Road 'gridlock' on most days beyond the working day. We therefore strongly object to **ST14** due to its location adjacent to the most congested part of the A1237.

In addition, the Hambleton District Council and Harrogate District Council have proposed plans for significant developments to many villages to the North and North-West of York. These sites will have a major impact on York because they are served by the A59, A19 and B1363 which feed into the A1237 Northern Ring Road. The increased congestion caused by these sites, added to the frequent near gridlock that will be met on the A19 Northern approach to York, will result in increased 'rat-running' through villages such as Skelton.

Furthermore, it is understood that York's proposals, site **ST14** in particular, assume improvements will be made to the A1237. However, no solution to the existing congestion problem will be effective unless it significantly increases traffic flow along the Ring Road between the A59 and Monks Cross - in both directions. A dual carriageway with grade separation at most, if not all roundabouts, is essential to achieve this. However, there is a high risk of schemes to provide the necessary improvements failing to be funded. Moreover, Section 106 funding to get transport in and out of **ST14** would be trifling and insufficient to reduce the anticipated congestion. The Council cannot adopt the policy of 'build first and worry later'. If current local infrastructure will fail to cope with the increased demand placed upon it following any new development, then it renders any proposed development unviable. Hence, we strongly object to **ST14**.

Summary – Objection to ST14:

With the high risks of total grid-lock on the A1237, the damage caused to business by congested transport links and the improbability of effective road infrastructure being funded, it is considered that strategic Green-Belt sites – **ST14 in particular** – should be removed from the North of the A1237 in the Local Plan.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

***Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

To make the Plan 'Sound', Site ST14 must be removed from the Local Plan and the housing numbers on the other sites feeding the Northern Ring Road must be reduced. The reduction in new houses to the North of York should be offset by increasing the housing numbers on the Sites that will be served by the A64 Southern Ring Road - Site ST15 in particular.

The A64 is already a dual carriageway with grade-separated junctions. Therefore, it can accommodate the increased vehicle movements caused by the increased housing it would serve. Moreover, plans to 'Dual' the A64 beyond York, towards Scarborough, are well advanced and have political support.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

26/3/2018

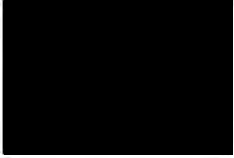
¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

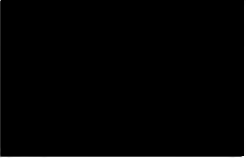
³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

The Skelton Village Action Group members are:

- Joseph Watt:



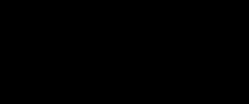
- Anne Dransfield



- John Goodsir



- Edward Renvoize



From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 26 March 2018 13:09
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104685

Date submitted: 26/03/2018

Time submitted: 13:08:34

Thank you for submitting your Local Plan Publication Draft response form (ref: 104685, on 26/03/2018 at 13:08:34) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Grant

Surname: Cockburn

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? NoCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I am not a lawyer but assume its legally compliant - not sure the duty to co-operate has been fulfilled - but again not sure what that actually means in law - are the concerns of local residents being fully looked into

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not justified,not effective

Please give reasons for your answer(s):

yes we need new housing but some of the areas selected seem to have not been fully thought out - 700+ houses to the north of Haxby where the infrastructure is not up to the increase - plus flooding concerns plus the water works are not up to the increase in demand - similar for the area to the north of Clifton Moor -the northern ring road is already way above capacity -this needs improving plus better public transport - the Haxby rail halt??

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: the plan for Haxby - its not sustainable

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

we should ensure the brownfield sites are utilised first - that infrastructure is improved in line with the building - the village to the south of Fulford could at least access the dualled southern ring road

Haxby is already a large town with insufficient infrastructure and green space - 700+ house will destroy the village feel and bring the town to standstill twice a day -yes the buffer zone is an improvement suggested by the parish council of which I was a member at that time - but the growth is too extreme - we have water problems with mains not being large enough plus flooding problem to the north - Barratt have abandoned plans in the past - whats different now??

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: RosieTozer [REDACTED]
Sent: 26 March 2018 13:03
To: localplan@york.gov.uk
Subject: Local Plan Responses from Rosemary Tozer
Attachments: Comments_form_RJT-Mar18-ST15.pdf; Comments_form_RJT-Mar18-H39.pdf;
Comments_form_RJT-Mar18-H26.pdf

I attach here my responses to the draft Local Plan.

I have used your standard form, and in addressing three separate issues I have used three forms. The Parts 'A' and 'C' are the same for each; the Part 'B' is different.

I trust this is order. I should welcome some kind of acknowledgement of receipt please.

Rosemary Tozer

[REDACTED]

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	<i>Dr</i>	
First Name	<i>Rosemary</i>	
Last Name	<i>Tozer</i>	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

This new settlement site ST15 is a massive development, but is proposed without sufficiently serious indication or analysis as to alternatives, and for each the infrastructure implications and impact. The location proposed seems quite arbitrary. Local people are so dumbfounded that they cannot comprehend the implications, and there is insufficient detail for them to respond constructively. There seems little or no discussion with local people and their representatives about the alternatives in terms of siting. This Plan does not demonstrate a Duty to cooperate. The area is also currently Greenbelt, and insufficient grounds have been shown to change this.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.	<input type="text"/>	Policy Ref.	<input type="text" value="SS13"/>	Site Ref.	<input type="text" value="ST15"/>
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5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

This proposed huge development is far too close to Elvington village and will inevitably swallow the village and ultimately merge with and absorb it. Elvington is recognised as being one of few small villages within the greater York area, and as such contributes to the overall historic setting of York as a whole. This will be lost of ever.

This does not conform to planning policy to ensure separation between settlements and substantial green spaces in between.

This site proposal impacts adversely upon Green Belt function, and environmental issues in many ways.

It does not have substantive natural boundaries, despite claims to the contrary in the documentation, and is unlikely to be contained in the medium-to-long term.

This massive proposal will have huge impact, not least in terms of traffic, but we have had little consultation and seen little analysis.

There are no guarantees about the quality of such a settlement. There is danger it will end up an unattractive densely packed suburban conglomeration, highly dependent upon car ownership. Any such settlement should necessarily be placed with direct railway access.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

This settlement is far too close to the village of Elvington, and too far away from the A64.

Much more analysis and consultation needs to be undertaken about the location, size and nature of this proposed settlement. Analysis particularly should look at the impact upon existing villages and traffic in great detail. Consultation should not be simple questionnaires to residents, most of whom are unable to respond sensibly in the absence of proper detail; but should engage meaningful dialogue with representatives including Parish councils.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

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Storing your information and contacting you in the future:

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Retention of Information

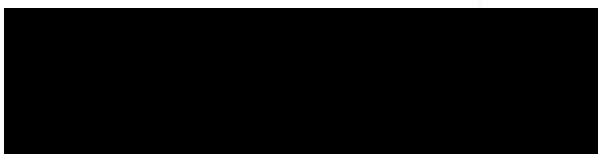
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

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Signature



Date

27 March 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	<i>Dr</i>	
First Name	<i>Rosemary</i>	
Last Name	<i>Tozer</i>	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

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Do I have to use the response form?

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Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

The site H39 in Elvington has been considered several times over the past 30 years, and every time has been confirmed as Green Belt. In particular we had a Public Inquiry, at which this site was looked at in detail. The inspector was quite clear in his conclusions that it should remain as Green Belt. No grounds are given for overturning that decision.

Residents of Elvington, and the Parish Council, are not opposed to all development, but have expressed clear views over many years that this is not the place. Instead they have proposed that if there is to be development in Elvington, it should be behind the school, as was always envisaged (that's Site H26). These reasoned views are simply being ignored.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy		<input type="checkbox"/>

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.	<input type="text"/>	Policy Ref.	<input type="text"/>	Site Ref.	<input type="text" value="H39"/>
---------------	----------------------	-------------	----------------------	-----------	----------------------------------

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

This site H39 for housing is inappropriate for Elvington, as it would seriously and disproportionately affect the rural nature of the village. Church Lane is about the only walking route from the village centre which represents open countryside (and in fact Elvington is not otherwise well served by footpaths). The lane is largely a Conservation Area, and it quickly takes one away from the noise, traffic and urban development which are hard to avoid elsewhere in the village. Here we have something quintessentially rural and attractive, and building on site H39 adjacent to this will damage this in so many ways: it is not replaceable. To make this dense extension to the Beckside housing estate here would be environmental vandalism.

This has been considered several times over the past 30 years, and every time has been confirmed as Green Belt. In particular we had a Public Inquiry, at which this site was looked at in detail. The inspector was quite clear in his conclusions that it should be remain as Green Belt.

Residents of Elvington, and the Parish Council, are not opposed to all development, but have expressed clear views over many years that this is not the place. Instead they have proposed that if there is to be development in Elvington, it should be behind the school, as was always envisaged (that's Site H26).

It would seem that in continuing to push for development on this site, officers from CYC have not appreciated the local character in and around Elvington, or engaged in any meaningful way with the village, but simply looked on a map. This is not sound or justified.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Site H39 should remain as Greenbelt.

Elvington is happy to continue to take a share of new houses, as it has always done; but needs to retain its village and rural character. Site H26 could be considered for more houses.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

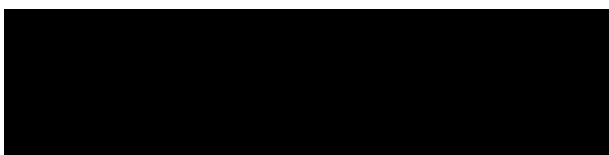
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

27 March 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	<i>Dr</i>	
First Name	<i>Rosemary</i>	
Last Name	<i>Tozer</i>	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

The site H26 in Elvington has long been considered as the next logical site for development (it was originally called 'Safeguarded Land' in old Selby DC policies). But CYC seems to keep changing its mind about this and its decisions seem quite arbitrary. It seems this site is now out of the loop?

Although residents may have been invited to respond with questionnaires, there is no coherent policy here. CYC needs to engage with the local Parish Council and/or other groups and find out what the village wants. and needs There is a clear failure of Duty to Cooperate.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared	<input checked="" type="checkbox"/>	Justified	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Effective	<input type="checkbox"/>	Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.	<input type="text"/>	Policy Ref.	<input type="text"/>	Site Ref.	<input type="text" value="H26"/>
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5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

*I refer to this **site H26** which is essentially that behind the school in Elvington. If we are to have development in Elvington -- and the village is not fundamentally opposed to development --, then this is the best site for this, rather than other sides proposed (e.g. the Beckside extension to Church Lane). The site also makes some logical sense; it would be largely hidden from view by trees; it would be handy for the school; it would help join the parts of the village (which would be seen generally as a good thing).*

This has always been considered thus, and it seems surprising that City of York Council which in previous versions of the Local Plan some years ago was trying to get development on this site H26 has changed its mind. Why is this? This is not sound or justified.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Site H26 should be considered for development in lieu of site H39.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

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Storing your information and contacting you in the future:

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Retention of Information

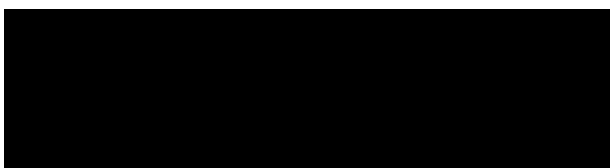
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

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Signature



Date

27 March 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Tim Tozer [REDACTED]
Sent: 26 March 2018 13:07
To: localplan@york.gov.uk
Subject: Response from Tim Tozer
Attachments: TTozer-LocalPlanResponse-Mar18.pdf

Dear Sirs,

I attach here my submission as response to the Local Plan draft.

These are based upon your form. I address three issues, but have kept this within one composite document which contains three sequential different Part 'B's.

I hope this is OK, and should welcome some acknowledgment please.

Kind regards,

Tim Tozer

[REDACTED]

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		
Title	Mr	
First Name	Timothy	
Last Name	Tozer	
Organisation (where relevant)		
Representing (if applicable)	Myself, as a Resident of Elvington and York	
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

ISSUE 1 (further additional Part B pages on other sites/issues follow this one)

This Part B relates to the issue of:

Site H39 (land between Beckside and Church Lane, Elvington).

It is also an **Objection** to the inclusion of this site for housing.

My reasons are given in your tick boxes below and following.

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft (including pre-publication Consultation Report)

4. (1) Do you consider the document is Legally compliant?

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

See following pages

Justification in relation specifically to site H39:

We are assuming that the Local Plan Draft is still proposing Site H39 (land between Becksides and Church Lane Elvington) for development. (However, there is perhaps some ambiguity now about this, as there do not appear specific statements affirming this. And oddly, it is noted that the Proposals Map South (Incorporating the fourth set of changes) appears not to show this site.)

(i) This site H39 in the Green Belt was first proposed for housing by the landowner in about 1987, and with the various incarnations of proposed Local Plans has been put forward a number of times over the years since then. On each occasion local opinion has been overwhelmingly opposed to housing development here, and responses to various consultations have strongly reflected that. The reasons given for such objections are summarised later in this response, and have been extensively presented by respondents over the past several years. These include proximity to conservation area and effect upon the rural character of the village and in particular this part of the village away from the main road. It is very clear that Elvington as a village, while not opposed to further housing development in general, does not feel this is an appropriate site for housing development. There seems to be a complete failure to take local views into account and to engage in meaningful local consultation. This is **not legally compliant** and is unsound.

ii) This site was considered in depth at the 1992/3 Local Plan Inquiry. (And at that time, CYC itself also opposed development on this site). The Inspector's conclusions delivered in 1994 were clearly that it should remain in the Green Belt. In respect of H39 especially, these conclusions were unequivocal and firm. Nothing substantive has changed since then, and the Inspector's arguments remain as valid today as they were then. However, CYC and this Draft Plan ignore the weight of that Inspector's report, and this in itself is **contrary to the Duty to Cooperate**.

iii) There have been other phases of the Local Plan process since 1992, some abortive or abandoned by CYC. Each time, local residents have responded in the same way – overwhelmingly opposed to development on this site. CYC itself opposed development here in the 1992/3 Local Plan: they have since changed their mind but without attempting to discuss the matter with Elvington or its Parish council. They simply put this site forward and leave people to comment: and those comments are then ignored. There is no reasoned riposte to the concerns of local people. Many wonder whether the CYC planning officers have ever bothered to come as far as Elvington to visit?

/contd

iv) In the latest response phase of October 2017, there were 91 Objections to this site H39 being removed from the green Belt (with only 3 in favour, including from builders / landowners). Very sound arguments were again presented by respondents against development on this site, including suggestions for development on site H26 instead as being far preferable. We cannot understand why CYC appears simply to ignore these representations, and not only persist with H39, but it has surprisingly removed H26 from consideration (see later). This position totally ignores local opinion, and seems to be arbitrary and perverse decision making with no regard to the local scene.

CYC's overt failure to pay regard to those views represents a **failure of duty to cooperate** with the community, and a **failure of legal compliance**.

v) Elvington Parish Council has similarly made its views known very clearly, and in particular during the 2017 consultation, viz, that it opposes development on this site. It has instead proposed that development should take place on site H26, which in the view of the local community is much more appropriate for development in Elvington.

CYC has made no attempt at all over recent years to engage with the Parish Council to find out what its views are and to discuss some consensus with the village for building in Elvington. As members of the PC have said: "Why don't they come and talk with us to find out how the village should develop". Indeed, the Parish Council as well as local residents appear to be treated with contempt by the planners at CYC. At a roadshow in Heslington in 2017, attended by CYC planning officers, I raised this question verbally with one of the officers present and asked why the views of Elvington residents and in particular those expressed by the Parish Council seemed to be totally ignored. The response was astounding, viz "Oh, we don't pay any attention to Parish councils, they're all Nimbys". That is breathtaking in its arrogance, and an insult to local people, especially as Elvington PC is far from being 'Nimbys' and has attempted consistently and constructively to discuss sites within the village for commensurate development. Thus the Draft Plan and the process is **not legally compliant** in terms of its **Duty to Cooperate**.

vi) As well as simply failing to take into account local views, CYC appear to have mandated the number and types of dwelling on this site. Again, without consultation with the Parish council and ignoring the almost unanimous views of residents as to what the village needs. This is a **failure of Duty to Cooperate**.

/contd

In terms of types of housing, The Parish Council has declared, reflecting the wishes of Elvington residents, that if anything the village needs more 4- and 5- bedroom houses, as well as more simple affordable housing. The former is to accommodate village residents as their families grow and they need more spacious accommodation. Elvington is well provided with standard 3-bedroom houses, but very little in way of larger dwellings. Accordingly, those with growing families have no option but to move away. This Plan has simply ignored those issues despite them being presented with the arguments. Again, this is a **failure of Duty to Cooperate**.

Part B ISSUE 1 /contd (in relation to Site H39):

5.(1) Do you consider the document is Sound?

No

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared ✓ <input type="checkbox"/>	Justified ✓ <input type="checkbox"/>
Effective ✓ <input type="checkbox"/>	Consistent with national policy ✓ <input type="checkbox"/>

... all of the above fail.

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Comments here relate to site H39 and its inclusion in the list of sites for development.

Paragraph no.	<input type="text"/>	Policy Ref.	<input type="text"/>	Site Ref.	<input type="text" value="H39"/>
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5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

Inclusion of Site H39 (land off Church Lane Elvington) in the Local Plan, and the implied proposal to remove from the Green Belt fails the above criteria, and is **Unsound**.

a) The area is Greenbelt, and has been affirmed as such a number of times: by CYC itself in earlier incarnations of the Local Plan, and in particular by the Inspector of the 1992/3 Public Inquiry. To arbitrarily reverse this decision is **unsound**.

CYC has never presented any reasoned arguments for exclusion of this site from the green belt, and in particular has not considered alternatives within Elvington and discussed these with the Parish council. Hence this appears **not justified**.

/continuation of Part B comments in relation to site H39.

b) Elvington represents an attractive village environment, and indeed is one of very few such villages remaining within the greater York region. It builds upon its traditional form and heritage, within the context of the City of York. It is acknowledged that the village character setting contributes to the City of York as a whole, and is a valuable counterfoil to the urban city environment. Indeed the Inspector at the 1992/3 Inquiry said that the rural character of Elvington contributed to the overall character of the City of York, and this was important. York needs to value that and not see the village just as a vehicle for absorbing housing targets. Indeed, it appears from map shown in Fig 3.1 of the Publication Draft (Feb 2018) that they have simply failed to acknowledge Elvington in any positive way at all. Failure to do so is **unsound**.

c) Development on this site, adjacent to a Conversation Area and alongside the only properly rural lane in the village, will degrade the environment and detract from the character of the area and the village. CYC has failed to acknowledge or consider this, and the proposal is **unsound** and **unjustified**.

d) All this is even more important given the proposal for the huge development of Whinthorpe on the nearby airfield, virtually adjoining Elvington. That will amount to a new town (almost the size of Pocklington in terms of population. This makes it doubly important that Elvington retains its character as a stand-alone village, and not part of what will become urban sprawl. None of the consideration for Elvington village has acknowledged the impact of this nearby huge development upon the village, and the consequences for planning therein. This is **unsound**.

e) While this site H39 may appear to be a natural 'rounding off' when viewed on a map, in practice it does not look or feel like that, but would represent a major encroachment into the countryside. It would abut and degrade the conservation area and degrade the distinctive rural nature of the further part of Church Lane, which leads into countryside and is a popular walking lane. It would adversely impact upon the rural nature of Elvington village, and unnecessarily render it more like a suburban dormitory. The impact of this is not properly recognized or justified, and the proposal is **not positively prepared**.

/contd

/continuation of Part B comments in relation to site H39.

f) This site itself as presented on paper on paper has undergone minor changes in its precise size and boundaries over the last several years when it has featured in planning proposals. Some plans show its western boundary to be in line with the adjacent Beckside estate, which is a quite arbitrary delineation (and assuming that the intervening hedgerow is maintained this has little value or significance). Others show it differently, to a fence in the middle of the field. Any claims that this fence in the middle of the field (which is actually incomplete) is a natural boundary are risible: especially as that fence was constructed suddenly by a large gang of men at 7am on the very morning when the site was being considered at the 1992/3 public Inquiry (much to the amusement of the Inspector)!

The site H39 does not in fact have any natural boundary whatsoever to the west (despite previous claims to the contrary), and is unlikely to be contained in the medium term. It is part of a very large field, and once there is development here, there will be little to stop it spreading at later date into an enormous urban sprawl, quite out of character with the village. Indeed, that is suggested in the Pre-Publication Draft Local Plan Regulation 18 consultation statement (2018) in the plan on page 149; this diagram also purports to show the artificial fence as something significant, which it is not.

CYC has failed to properly consider these points, and the Plan is **not positively prepared** and is **unsound**.

g) Church Lane itself is quite unsuitable for further vehicular access (as has been acknowledged in earlier documents), therefore this development would have to use the existing Beckside for access. That would turn that already large estate (by local standards) into a much larger one with significant traffic issues. This would mean all traffic emerging on the B1228 by way of one modest access road. Further traffic through the existing estate would have major impact upon the existing residents in terms of child safety and quality of life. This has not been properly considered, and the proposal is **not justified, nor positively prepared**.

/contd

/continuation of Part B comments in relation to site H39.

h) As respondents have pointed out in earlier submissions, Elvington retains its village character yet has steadily incorporated significant housing increases over recent years with relatively modest sized modern developments as cul-de-sacs off the B1228 road through the centre of the village. These allow retention of the rural ambience and has avoided the dense urban sprawl characteristic of other villages around York (e.g. Strensall, Haxby/Wigginton). The Beckside development is already the largest development in the village: this proposal to remove H39 from the Green belt will enlarge Beckside significantly and adversely, and detract further from the village character which has been deemed important. This proposal is **unjustified** and **unsound**.

i/ Respondents and the Parish Council have made clear their opposition to development on site H39, which is seen as detrimental to the village environment - principally as it is alongside Church Lane which retains a quintessentially rural ambience. CYC in this Plan and antecedent versions, has not acknowledged or addressed this concern. Accordingly, the proposal is **unjustified** and **unsound**.

j/ The village has, over the past 30 years, consistently absorbed more than its fair share (proportionally) of development within the Greater York area. Representations from residents and the Parish council make it clear that the next phase of development should logically be on Dauby Lane, approximately site H26, rather than site H39, for reasons which are reiterated in my separate 'Part B' relating to H26. CYC has simply ignored those representations, and their stance in relation to Elvington as a whole is **unjustified**, and **ineffective**.

k/ With regard to site H39, environmental issues have been raised and acknowledged. There is a further environmental issue not apparently reported, and that is the flooding and land drainage issue for this site. The field does become highly waterlogged, and at the time of writing much of it is under water, as is part of adjacent Church Lane – not from river flooding directly, but as a result of inadequate land drainage. Building here can only exacerbate the situation.

/ this Part B in relation to site H39 continues

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Necessary changes would be:-

- Plan amended to reflect views of Elvington village residents and Parish Council
- The removal of Site H39 from this Plan, and its retention in the Greenbelt.

If appropriate, site H26 should be put forward for development as a better alternative.

Such changes would go some way toward making this plan legally compliant and Sound.

/continues to 7(1)

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination



If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

I have been concerned with the Local Plan issues since 1987, and I gave evidence on this and other local sites at the 1992/3 Public Inquiry.

I can place into context both locally and temporally this site H39 and related sites around Elvington, and the background and planning history.

(I can also describe, for example, how in the 1992/3 Inquiry a barrister representing the landowner stood up and declared that site H39 had a 'natural boundary' to the West in the form of a fence. When asked how long that fence had been in existence, he had to admit that it was erected at 7am on the morning of that very day of the Inquiry hearing!)

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

/continues with another Part 'B' in relation to site H26

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

ISSUE 2 (further additional Part B pages on other sites/issues follow this one)

This Part B relates to the issue of:

Site H26. And is an **Objection** to the exclusion of this site for housing in preference tot other sites in Elvington .

My reasons are given in your tick boxes below and following.

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft (including pre-publication Consultation Report)

4. (1) Do you consider the document is Legally compliant?

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

See following pages

Justification in relation specifically to site H26:

i) Site H26 is behind Elvington school and is often referred to as the Dauby Lane site. Given that Elvington village expects to, and indeed is willing to, shoulder some further development, then this site is the obvious one to choose. Indeed, it was designated as 'land safeguarded for residential development' right back by Selby D.C. as far back as prior to 1987 (although the precise boundaries proposed seem have varied slightly over the years).

Over the past 29 years and various attempted incarnations of the Local Plan, this site has always featured. CYC has generally proposed it for development, although were surprised when in the Inspector in 1992/3 Inquiry recommended that no sites in Elvington should be removed from the greenbelt. Because of the way this site has been presented, respondents have sometimes found themselves *opposing or supporting* its *inclusion or exclusion* from the greenbelt, and there has often felt to be some confusion about this.

The village (respondents and the Parish council) has expressed strong preference for this site to take the brunt of modest future development within the village, particularly in lieu of site H39 (between Beckside and Church Lane). This represents a positive and constructive view by the village at this time, and sensible trade-off planning. CYC appears to have simply ignored all these representations, has not engaged or consulted with the Parish Council or respondents over this matter, and has simply an arbitrarily made a decision to drop the site H26 from consideration for development. While the village has in hindsight been sadly remiss in not producing a completed Neighbourhood Plan in a timely fashion, there is no reason for CYC not to engage with us. There has been a **failure of Duty to Cooperate**, and the proposal is **not Legally Compliant**.

/contd

Part B ISSUE 2 /contd (in relation to Site H26):

5.(1) Do you consider the document is Sound?

No

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared ✓ Justified ✓

Effective ✓ Consistent with national policy ✓

... all of the above fail.

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Comments relate to site H26 and its exclusion in the list of sites for development.

Paragraph no.	<input type="text"/>	Policy Ref.	<input type="text"/>	Site Ref.	<input type="text" value="H26"/>
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5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

See next page

- a) The site H26 is, and can remain, largely hidden from sight by existing tree belts. Thus its visual impact upon the village can be negligible. The site is well placed with potential access to both the B1228 and Dauby Lane. Any issues of traffic movements onto the B1228 or Dauby Lane will need to be managed, but the impact will be potentially less than the alternative of increased traffic through the Beckside access.
- b) It is disingenuous and peculiar of CYC to claim (as we understand it has done elsewhere) that this site needs to remain undeveloped as a buffer between the residential and industrial parts of the village: clearly, they have not visited the area and are unaware of the large Elvington Park development to the west. In fact, the village is currently in two parts: the older centre and Elvington Park, and these are joined by some ribbon development including the doctor's surgery. This site H26 would to some extent bridge those parts, and such bridging would serve to unite the village rather than be to its detriment although as above it could have minimal visual impact, Indeed, there is a strong argument for such unification of the village which is currently rather 'split' between the old village centre and the Elvington Park development. This argument has been expressed by Elvington PC and by respondents, yet has been ignored. This proposal is **unsound**.
- c) Proximity to the school should be seen as a positive: at least children could walk to school readily rather than need to be driven, and it need not impact negatively on the school itself. This is an environmental/safety factor which has not been addressed by CYC , and their proposal is **unsound** and **not in accordance with National Policies**.

/contd

Part B in relation to site H26, /contd

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Necessary changes would be:-

- Plan amended to reflect views of Elvington village residents and Parish Council
- The reinstatement of Site H26 from this Plan as alternative to H39.

Provided it is in cooperation with the Parish council of Elvington, such changes would go some way toward making this plan legally compliant and Sound.

/continues to 7(1)

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

I have been concerned with the Local Plan issues since 1987, and I gave evidence at the 1992/3 Public Inquiry.

I can help place into context both locally and temporally this site H26 and related sites around Elvington, and the background and planning history.

/ another 'Part 'B' follows this page

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)

ISSUE 3

This Part B relates to the issue of:

Site ST15 (and Policy SS13) and is an **Objection** to the inclusion of this site as described for housing.

My reasons are given in your tick boxes below and following.

3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft (including pre-publication Consultation Report)

4. (1) Do you consider the document is Legally compliant?

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

i) This massive development ST15 is proposed on existing Greenbelt land. That, and the runway of Elvington airfield, is not a brownfield site: it is Greenbelt. Various parts of the Local Plan document(s) refer to this as a brownfield site. This is incorrect, and this proposal is **not legally compliant**.

ii) This massive development will have major impact upon its surroundings, environmentally and also particularly in terms of traffic. That impact has not been sufficiently thoroughly assessed. Despite its close proximity to the village of Elvington, there has been no attempt to discuss the implications of this with the Parish council either terms of the existence and location of the site, or in terms of detailed assessment and design principles.

The general lack of information and the very limited impact assessment is extraordinary considering the size and impact of this proposal. Partly for that reason, it has extremely been difficult for people to comment constructively upon it. Indeed, it has felt like the 'elephant in the room' locally. Nevertheless, the failure of CYC to present detailed assessments of the impact and to discuss alternative locations for this development are astonishing and represents a **lack of duty to cooperate**.

Part B ISSUE 3 /contd in relation to Site ST15 and Policy SS13:

5.(1) Do you consider the document is Sound?

No

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

- | | |
|--|--|
| Positively prepared ✓ <input type="checkbox"/> | Justified ✓ <input type="checkbox"/> |
| Effective ✓ <input type="checkbox"/> | Consistent with national policy ✓ <input type="checkbox"/> |

... all of the above fail.

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Comments here relate to site ST15 and Policy SS13.

Paragraph no.	<input type="text"/>	Policy Ref.	<input type="text" value="SS13"/>	Site Ref.	<input type="text" value="ST15"/>
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5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

a) This massive development proposed as a ‘garden village’ (it will actually be a town) largely on Elvington Airfield is too close to the existing village of Elvington, and will inevitably impact heavily upon the village and ultimately merge with and absorb it. Elvington is recognized as being one of few small villages within the great York area, and as such contributes to the overall historic setting of York as a whole. That was a key conclusion of the Inspector in the 1992/3 Inquiry. This will be highly jeopardised. The impact of this development upon the village of Elvington (and also Wheldrake) has not been taken into account. Furthermore, The site does not have substantive natural boundaries, and is unlikely to be contained in the medium-to-long term. Therefore this proposal is unsound: it is **not positively prepared**, and is **unjustified**.

/contd

/continuation of Part B comments in relation to site ST15.

b) The location of the site ST15 appears arbitrary – the more so given the history of it originally being proposed alongside the A64. There is no proper justification or argument about where this massive development (in terms of dwellings, almost the size of Pocklington) should be placed, other than some landowners have expressed willingness. There is land available closer to the A64 which would be highly preferable in nearly every respect. Principal among these is the traffic impact, which seems to have had very little study. The affect on the existing narrow B1228 could be catastrophic; these will be minimized if the site has shorter links directly to the A64 (as it must have).

We do recognize the need for more housing, and this general area to the south east of York is clearly attractive for this purpose. However, this settlement should be back closer to the A64 ring road: the reasons for moving it away from the original Winthorpe location appear to be pressure from Heslington village who seem to have kicked it further away without actually solving any of the issues – despite the fact that the A64 would provide a significant natural boundary isolating Heslington from this settlement. I understand that Historic England had said that having it there would detract from the overall setting of York: however, destroying the Elvington area will still do exactly that.

If we are going to have this settlement, it would be more sensible to put it directly alongside the ring road, which is in itself something ‘urban’ in concept. Or at least, further west than the ST15 proposal, so it does not encroach upon Elvington (or the airfield) so much. And in terms of the necessary link road to the A64, it is hard to envisage this link road of some 3 miles in length for the present proposed location on the airfield.

Ironically the University of York is quoted as saying it would favour links with the settlement. UoY has enough difficulty already in maintaining links between its two main campuses only half a mile apart. It would find considerable problems with this settlement some 3 or 4 miles further away (but it would make more sense if it were just the other side of the ring road).

One does wonder whether CYC planning officers have actually visited the proposed site? Mention is optimistically made in Policy SS13 of “Create new open space (as shown on the proposals map) within the site to maintain views of the Minster and existing woodland.” I haven’t been able to spot that on a published map, and but in any case one seriously doubts that the Minster could be visible from here even if it were not for the intervening high ground

The whole presentation of the preferred location of this settlement is weak, and has failed to deal with the concerns of local residents in Elvington or its Parish council. There is a **failure of duty to cooperate**, and it is **unjustified** and **unsound**.

/contd

/continuation of Part B comments in relation to site ST15.

c) In particular, the amount of traffic from a site of this size with no rail links will be horrendous. Virtually everybody will need to commute to York or Leeds or elsewhere, mainly via a single junction on the A64, and potentially around 6000 cars. There will need to be a special link road to the A64; however, it is hard to see how there will not also be considerable added pressure on the B1228, which is already seriously over-loaded especially at peak times.

The Pre-publication Consultation Report says

“Overwhelming support has been for an enlarged ‘garden village’, as proposed by the developers, which would support a new junction onto the A64, thereby relieving traffic and congestion on the B1228 should the development proceed, and which would take up the overflow from the villages, rather than have them stretched to the point where services will start to fracture.” What does this mean? It implies that much of the traffic will in fact use the B1228 (with horrendous consequences for commuters in peak periods). Or will there be only limited access from this new town to the B1228.

CYC does not appear to have digested and analysed all this, but is simply providing summaries of some respondents’ comments which are then ignored or not developed. These issues have hugely wide-reaching consequences, and have not been sufficiently researched and evaluated. Accordingly, this massive proposal is unsound in its present form. It is **not positively prepared**, and it is **not justified**.

d) This very large number of houses proposed in what is quite a modest sized area, coupled with the involvement of major house building firms, will inevitably result in an unattractive dormitory suburb of high density. It will not look like a ‘garden village’, but will surely be a dense housing estate sprawl cluttered with motor cars: we have seen very little in the proposals indicating imagination and sustainability. The number of dwellings proposed is almost as great as the whole town of Pocklington, although Pocklington covers a much greater area and includes a diversity of commerce, industry, residential and other areas. There is no sound ‘vision’ or commitment presented as to what this community will actually comprise or look like, and what its organic relationship with the main city of York will be.

For a proposal of this magnitude there needs to be much better vision before it can be approved. At the moment this proposal is likely to be a recipe for a ‘race to the bottom’. There seem to be no guarantees that it would result in a high quality development using best planning principles for green spaces and built environment quality. This proposal is **unsound**.

/contd

/continuation of Part B comments in relation to site ST15.

e) It is perverse to place this settlement over part of Elvington runway. The runway is a national strategic asset, which will be destroyed. There is no proper attempt to assess its value as such. It is also a tourist and visitor attraction for various events. There is no proper assessment of the loss to York's tourist industry or the economic impact.

Those bits of the runway not included with in the curtilage of the settlement will have a very odd status remaining in the Green Belt, but effectively unusable concrete: there is no plan as to what that would be used for, and it would likely be only a question of time before it was all built upon.

Environmentally, one wonders how builders will manage case digging up extremely thick reinforced concrete, designed to bear the weight of heavy bombers; the environmental costs of this alone are horrendous (and where will the spoils go?). Also, one wonders whether this would permit any gardens, lawns or green spaces in this settlement as it's hard to envisage the builders digging it up and replacing with good topsoil!

Failure to address these points means the proposals to build on the airfield runway is **not justified** and is **unsound**.

/contd

Part B (Issue 3) in relation to site Site ST15 /contd

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.

You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Necessary changes would be:-

- Much more detailed assessment of the options for this new settlement and possible locations. This to be driven by planning of the highest order, and not driven by landowners.
- To include much more detailed assessment of the impact upon York, including in particular traffic and environmental impact. Solutions to include guarantees concerning effect upon the B1228 and A64 junctions at all stages, from initial construction traffic through to predicted long term development capacity.
- To include more detailed assessment of the impact upon Elvington village, and mitigation strategies and guarantees.
- Close and detailed engagement with Parish Councils affected (viz Elvington & Wheldrake).
- To include more assessment of the impact in terms of loss of a visitor amenity, a large nationally strategic runway and impact upon the neighbouring Air Museum.
- Much more detail of the form and housing make-up of such a settlement and its amenities and facilities (including green spaces, housing density and distribution, etc etc.)
- Proposal to be accompanied by guarantees concerning these points, including affordable housing. Confidence to be produced that CYC (or other agency) has the will and the clout to enforce highest standards for this new town.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

Yes, I wish to appear at the examination *See below*

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

It is essential that this highly important matter of the new settlement is given the very fullest consideration and consultation indeed, and this has not been demonstrated. This will mean having views especially from local residents and those from surrounding communities, such as Elvington. There will no doubt be many others wishing to speak, with more authority and knowledge than I have. If however it is helpful, I should be happy to speak.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

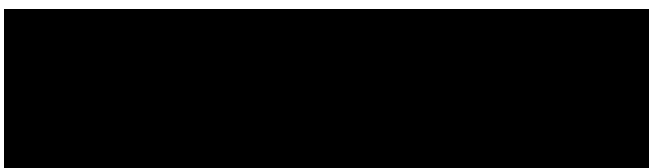
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

26 March 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: [REDACTED]
Sent: 26 March 2018 15:16
To: localplan@york.gov.uk
Subject: Public Consultation- my response

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Green Category

Sir,

Mr Robert Ridley and Mrs Jacqueline Ridley
[REDACTED]

Please accept this email as our response to the public consultation exercise on the City of York (CYC) Local Plan.

Firstly, we would like to address the question of lawfulness of the plan: we believe the plan follows NPPF guidelines in both meeting housing & business needs; it has reflected consultants' evidence based research that have established the number & type of houses required to cover the planning period; the plan has taken account public feedback that was obtained over a very lengthy consultation period.

Secondly, we would like to address the soundness of the plan: we believe the plan has provided for well planned facilities in the right locations; it has tried to preserve the heritage and the environment; it has in relation to Old Earswick Village avoided urban creep and it has recognised that further expansion in to the greenbelt is not acceptable.

The plan has addressed infrastructure, transport and public services. Although we note that the opening of a railway station at Haxby has been left until the very latter stages of the planning period. We believe that a council that seeks to maintain the uniqueness of York and wants to reduce environmental damage caused by additional drivers would seek to have this railway station brought forward to the early years of the plan. Doing so would reduce the congestion on the 1237 ring road to the north of the city and the city centre. Additionally opening the station earlier would ensure that some of the financial employment opportunities in Leeds could benefit residents of York and therefore bring much needed revenue to our great city.

So with the exception of the timing of the opening of the railway station in Haxby we fully support the Local Plan. We would not want any increase in the housing numbers from the already established 867 new homes a year. Nor would we wish for any further greenbelt land to be offered up for development. We would urge the council to revisit any further approaches from housing developers and instead to endorse the plan.

Please accept this email as two responses.

Robert Ridley and Jacqueline Ridley

Sent from my iPad

From: [REDACTED]
Sent: 26 March 2018 15:16
To: localplan@york.gov.uk
Subject: Public Consultation- my response

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Green Category

Sir,

Mr Robert Ridley and Mrs Jacqueline Ridley
[REDACTED]

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Firstly, we would like to address the question of lawfulness of the plan: we believe the plan follows NPPF guidelines in both meeting housing & business needs; it has reflected consultants' evidence based research that have established the number & type of houses required to cover the planning period; the plan has taken account public feedback that was obtained over a very lengthy consultation period.

Secondly, we would like to address the soundness of the plan: we believe the plan has provided for well planned facilities in the right locations; it has tried to preserve the heritage and the environment; it has in relation to Old Earswick Village avoided urban creep and it has recognised that further expansion in to the greenbelt is not acceptable.

The plan has addressed infrastructure, transport and public services. Although we note that the opening of a railway station at Haxby has been left until the very latter stages of the planning period. We believe that a council that seeks to maintain the uniqueness of York and wants to reduce environmental damage caused by additional drivers would seek to have this railway station brought forward to the early years of the plan. Doing so would reduce the congestion on the 1237 ring road to the north of the city and the city centre. Additionally opening the station earlier would ensure that some of the financial employment opportunities in Leeds could benefit residents of York and therefore bring much needed revenue to our great city.

So with the exception of the timing of the opening of the railway station in Haxby we fully support the Local Plan. We would not want any increase in the housing numbers from the already established 867 new homes a year. Nor would we wish for any further greenbelt land to be offered up for development. We would urge the council to revisit any further approaches from housing developers and instead to endorse the plan.

Please accept this email as two responses.

Robert Ridley and Jacqueline Ridley

Sent from my iPad

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 27 March 2018 09:36
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104722

Date submitted: 27/03/2018

Time submitted: 09:36:04

Thank you for submitting your Local Plan Publication Draft response form (ref: 104722, on 27/03/2018 at 09:36:04) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Craig

Surname: Norris

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? NoCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

Having reviewed the duty to cooperate document, I have concerns over the lack of information regarding the transport arrangements for the new development to the north of the city, there are current issues regarding traffic volumes at peak times and adding another 735 properties to this will exasperate the issue further, I believe that the duty to cooperate document has purposely focussed on previous issues to the east and west of the city which will bear little impact on the traffic caused by the local plan publication draft.

The city of York council, in my opinion, need to consider adding a rail link from Haxby to York station (via the Scarborough line) also expanding the existing road layout to include a bus lane (wigginton end) to ease the traffic congestion and encourage people on to public transport. Only when this has been considered should a proposal be put forward for further development with a sustainable transport link.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified,not effective

Please give reasons for your answer(s):

Please see previous comments on transport sustainability. I believe the plan is deliberately misleading, traffic studies that have been carried out do not include rush hour traffic and the transport focus given in the duty to cooperate document has little impact on the proposed development.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Transport section of the duty to cooperate document

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

Review of the transport and infrastructure arrangements for the proposed development. To include a sustainable and effective solution specific to the current and proposed traffic volumes to the north of the city.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: Brian Bell [REDACTED]
Sent: 27 March 2018 11:38
To: localplan@york.gov.uk
Subject: CYCDLP
Attachments: CYCDLP BB.pdf; CYCDLP MB.pdf

Dear all

Please find attached our response to the draft local plan.

kind regards

Brian

The information in this email, and any attachments, are confidential and intended for the person they are addressed to. If this email was not intended for you, you may not copy, use or share the information in any way. Please email [REDACTED] to advise us that you have received this email in error. East Riding of Yorkshire Council is able to, and reserves the right to, monitor email communications passing through its network. The council does not accept service of legal documents by email. We have made every effort to virus check this email and its attachments. We cannot accept any responsibility or liability for loss or damage which may happen from opening this email or any attachment(s). We recommend that you run an antivirus program on any material you download.

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:
ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mr	
First Name	Brian	
Last Name	Bell	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

'In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents meet all the tests of soundness'. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

26/03/18.

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Brian Bell [REDACTED]
Sent: 27 March 2018 11:38
To: localplan@york.gov.uk
Subject: CYCDLP
Attachments: CYCDLP BB.pdf; CYCDLP MB.pdf

Dear all

Please find attached our response to the draft local plan.

kind regards

Brian

The information in this email, and any attachments, are confidential and intended for the person they are addressed to. If this email was not intended for you, you may not copy, use or share the information in any way. Please email [REDACTED] to advise us that you have received this email in error. East Riding of Yorkshire Council is able to, and reserves the right to, monitor email communications passing through its network. The council does not accept service of legal documents by email. We have made every effort to virus check this email and its attachments. We cannot accept any responsibility or liability for loss or damage which may happen from opening this email or any attachment(s). We recommend that you run an antivirus program on any material you download.

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

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Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Mrs	
First Name	Maxine	
Last Name	Bell	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Representations must be received by Wednesday 4 April 2018, up until midnight.
Representations received after this time will not be considered duly made.

Guidance note

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- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
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Part B - Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

In respect of all the documents referred to in Section 3 above, I support and agree with City of York Council's processes, procedures, and justifications and I am satisfied that all documents are legally compliant. I would prefer, however, that the housing densities identified for the two development sites in Copmanthorpe, which are substantially greater than the current average density for the village and which would result in the overwhelming of already stretched infrastructure and services, be reduced to the densities detailed in Policy CNP2 of the draft Neighbourhood Plan

What does 'Sound' mean?

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Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph
no.

Policy
Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

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6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

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Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signature



Date

27.03.2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 27 March 2018 15:17
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104748

Date submitted: 27/03/2018

Time submitted: 15:17:04

Thank you for submitting your Local Plan Publication Draft response form (ref: 104748, on 27/03/2018 at 15:17:04) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Group comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Janet

Surname: Montgomery

Name of the organisation/individual/group you're representing: Brimble, Lea & Partners

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The Plan has been through the correct procedures and Policy H6 is legally compliant.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

(1) Throughout the Local Plan process, full consideration of the needs for Travelling Showpeople have been assessed and sites considered in the Preferred Options and Further Site Consultation.

(2) The need for 3 Travelling Showpeople sites is established through an updated GTAA and the Plan has been prepared to deliver a site to meet this need, together with site criteria for future sites.

(3) Policy H6 has been amended to take account of representations made in the various stages of consultation and is positively prepared, effective, justified and consistent with national policy.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Policy H6

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

None

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

As we support Policy H6, we do not necessarily wish to participate in the oral part of the examination, but would like to if objectors to this Policy are afforded the opportunity to participate.

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 27 March 2018 15:32
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104751

Date submitted: 27/03/2018

Time submitted: 15:32:03

Thank you for submitting your Local Plan Publication Draft response form (ref: 104751, on 27/03/2018 at 15:32:03) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Group comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mrs

Forename: Janet

Surname: Montgomery

Name of the organisation/individual/group you're representing: Brimble, Lea & Partners

Address (building name/number and street): [REDACTED]

Address (area):

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Policies Map

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

The Policies Map has been through the correct procedures

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

(1) Throughout the Local Plan process, full consideration of the needs for Travelling Showpeople sites have been assessed and sites considered in Preferred Options and Further Site Consultation.

(2) The need for 3 Travelling Showpeople sites is established through an updated GTAA and the Plan has been prepared to deliver a site to meet this need.

(3) Site SP1 on the Policies Map will deliver a permanent site for Travelling Showpeople, it already having been granted permission several times on a temporary basis pending adoption of the Local Plan.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: SP1

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

None

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination?

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

As we support Site Allocation SP1, we do not necessarily wish to participate in the oral procedure, but would like to if objectors to this allocation are afforded the opportunity to participate.

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

[REDACTED]

From: Debbie Hume [REDACTED]
Sent: 27 March 2018 15:20
To: localplan@york.gov.uk; Cooke, Alison(City Development)
Cc: James Simpson; 'Pete Simpson' [REDACTED]
Subject: Representations to the Publication Draft of City of York Local Plan 2018
Attachments: Representations March 2018.docx; reps form.pdf

FAO : Forward Plans / Alison Cooke

Dear Alison

I attach Written Representations and the completed Representation Form regarding the City of York Publication Draft 2018 Consultation.

Please can you confirm receipt by return.

Many thanks.

Kind Regards

Debbie

Debbie Hume
[REDACTED]
[REDACTED]

**REPRESENTATIONS TO THE CITY OF YORK
LOCAL PLAN PUBLICATION DRAFT**

**ON BEHALF OF WESTFIELD LODGE AND
YALDARA LTD**

**REGARDING LAND ADJACENT TO
GREYSTONE COURT, HAXBY, YORKS (H37)**

MARCH 2018

Strathmore Estates

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1.0 OVERVIEW OF REPRESENTATIONS TO YORK LOCAL PLAN WITH REFERENCE TO PLANNED HOUSING PROVISION AND SITE ALLOCATION H37 (LAND AT GREYSTONES COURT, HAXBY)

Our clients, Westfield Lodge and Yaldara Ltd, have been closely involved in the promotion of the subject site through the emerging Local Plan with Officers of York City Council since **September 2012**.

2012

Following the **Call for Sites Submission in September 2012** on behalf of the joint landowners Westfield Lodge Ltd and Crackmount Investments Ltd (now Yaldara Ltd) regarding land adjacent to Greystone Court, Haxby, we met with Officers of the Integrated Strategy Unit of the City of York on 3rd October 2012 and we submitted a more detailed initial representation for the Council's consideration.

2013

Following a thorough sieving exercise and detailed internal consultations, York City Council accepted the planning justification for the allocation of this site for residential purposes and identified the subject site for short term housing development in **Draft Policy H3 (Site Allocation H37)** of the **Preferred Options Consultation Draft of the Local Plan (2013)**. Further representations were submitted on behalf of the landowners in June 2013, in support of the local plan allocation, promoting a slight increase in developable area/density to 47 dwellings, whilst maintaining the same overall enhancement principle. The OAHN was **1090 dwellings per annum** based on an economic growth scenario .Independent advice was sought from Arup.

2014

Continuing this liaison with Officers of York Council and in accordance with the owner's willingness to work with the Local Planning Authority, they were encouraged to progress with a **Pre-Application Submission** to seek written Pre-Application advice regarding the redevelopment of this site for short term housing provision. Notwithstanding the draft status of the emerging York Local Plan pending the Local Plans advancement and ultimate adoption, the aim was to work up some agreed principles for the future development of this site, with Officers of the Council.

Accordingly, a **Pre-Application submission was submitted in March 2014**. Following detailed liaison and consultation within the Council including a meeting with Planning and Highway Officers, we received the Council's Preliminary Pre-Application advice on 21st May 2014. Following further discussions with Officers of York CC and revisions to the Illustrative Master Plan, the Council provided their finalised **pre-application advice letter on 19th September 2014 in support of the development of the site, pending the adoption of the Local Plan**.

The subject site was duly **allocated for housing (H37) in the proposed Publication Draft Local Plan (September 2014)**. This document was **approved by the LPWG Committee and the Cabinet** and the Local Plan was to be ratified before being placed on deposit prior to Submission to the Secretary of State. The OAHN was **996 dwellings per annum**.

However, at this point there was a political change within the Council and as a consequence, the **Full Council** required the Planning Officers to prepare a new Local Plan based on reduced housing provision.

2016

Following a further 18 month delay in the Local Plan process, a revised **Preferred Sites Consultation (July 2016)** was published for consultation. The subject site (H37) was proposed to be **deleted** from the allocated housing sites on primarily Drainage and Green Belt grounds. Representations were submitted (August 2016) to challenge this deletion and request reinstatement. The OAHN figure was reduced to **841 dwellings per annum**. A reduction of 155 dwellings per annum.

2017

These representations, along with all representations, were considered in detail at the **Local Plan Working Group Meeting held on 10th July 2017**. (See extracts from Agenda Papers of the LPWG Meeting 10.7.2017 & 23.01.2018). Notwithstanding the objectively assessed housing need identified by GL Hearn and the Officers recommendation (i) for **953 dwellings pa** in order to be NPPF compliant, this recommendation was rejected. The GL Hearn recommendation included a 10% uplift in response to market signals and affordable housing need. To meet this objectively assessed need sites listed in Tables 1-4 sites were suggested, which included the reinstatement of the previous allocation of the subject site (Site H37 Table 3) following detailed consideration by Officers, **of all technical matters. Officers therefore suggested that Site H37 be included again as an allocation within the Local Plan (pg. 89)**.

Nevertheless, this Officer recommendation was rejected by Members who opted for a lower OAHN of **867 dwellings per annum** removing the need to include the additional Housing Allocations required to meet the GL Hearn OAHN figure with 10% uplift.

2018

The resultant **Publication Draft 2018** therefore excludes the subject site and proposes an OAHN figure of **867 dwellings per annum**.

Accordingly, these representations object to the overall housing need figures adopted for this Publication Draft. We consider that this Publication Draft is not a “sound” plan and it fails on the following grounds that it is not:

- (i) Positively prepared
- (ii) Justified;
- (iii) Effective; and
- (iv) Consistent with national policy.

In order to make the Publication Draft “sound “the Local Plan must re-consider grounds (i) to (iv) to ensure that they are adequately addressed. These representations support the higher OAHN figures proposed by GL Hearn, including the 10% uplift, **as a minimum requirement** for housing provision and accordingly the reinstatement of Site H37 Greystone Court.

Moreover ,the planned housing provision seriously conflicts with the Government’s latest **Housing White Paper (Consultation Sept 2017)**, which indicates a standard form of calculation and a significantly higher figure of **1070 dwellings per annum** in order to address the housing need in York City and the question of affordability. Whilst this was a consultation exercise, it nevertheless reflects the likely direction of travel promoted by Central Government when planning for new housing to meet local need. Moreover, this figure of 1070 d/p/a corresponds closely with the original OAHN figure of 1090 d/p/a proposed in the Preferred Options Draft June 2013.

Whilst these representations address the lack of soundness of this Publication Draft and as a consequence support the reinstatement of Site H37 (previously included in the Local Plan) in order to help meet objectively assessed housing need, along with other previously deleted sites, it is significant to take into consideration all previous representations made consistently in support of the allocation of the subject site (H37) since 2012.

2.0 CONSIDERATION OF THE GROUNDS FOR A SOUND LOCAL PLAN

(i) POSITIVELY PREPARED

The relevant planning legislation states that a LPA must only submit a plan for examination which is considered to be sound. This is defined by the NPPF (2012) para 182. There are 4 criteria. The first is that the Plan must be:

“positively prepared : the plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.”

Furthermore para 17 of the NPPF states that:

“Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.

Additionally, para 47 of the NPPF states that LPAs should:

“use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area...”

Moreover the NPPG (March 2014) includes guidance for LPAs in objectively assessing and evidencing development needs for housing. It states that:

“The assessment of development needs is an objective assessment of need based on facts and unbiased evidence. Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by supply of land for new development, historic under performance, viability, infrastructure or environmental constraints.”

The Planning Advisory Service (PAS) provides further guidance to LPA on plan making. The PAS have produced guidance on undertaking their assessment of housing need in their technical advice note “Objectively Assessed Need and Housing Targets”, Technical Advice Note June 2014. Their definition of total housing need is as follows:

“The housing that households are willing and able to buy or rent, either from their own resources or with assistance from the state.”

Within this national planning policy context, we consider the York City Council’s latest assessment of housing need in the Publication Draft 2018. This is best reflected in the Officers own very recent report to the Local Plan Working Group (LPWG) Meeting January 2018.

The Officer’s Report sought agreement for the evidence provided by the independent consultants, GL Hearn, regarding the Objectively Assessed Housing Need (OAHN), to provide the evidence base for the Local Plan. This was to ensure that the emerging draft Local Plan is NPPF compliant. Notably, the key objective of the NPPF is to **“boost significantly the supply of housing.”**

Officers advised that guidance in the NPPG indicates the official projections should be seen as a **baseline only**. The baseline figure generated by the latest official projections is 867 dwellings pa.

Furthermore, Officers highlight para 47 of the NPPF which states that to boost significantly the supply of housing LPAs should:

“..identify and update annually a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, LPAs should increase the buffer to 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.”

On the basis of Government guidance, GL Hearn recommended that based on their assessment of **market signals evidence** and some recent **Inspectors decisions** that York should include a **10% market signals adjustment**. This increases the baseline figure from 867 dwellings pa to **953 dwellings pa**. This market adjustment is based on an assessment of both market signals and affordable housing need.

GL Hearn advise in their report that the **lower quartile house prices in York are 8.9 times higher** than the lower quartile earnings. The general market adjustment applied to improve affordability across the country is up to 20%. A lower 10% adjustment was proposed by GL Hearn.

Officers advise Members that if they accept the independent GL Hearn advice on housing need over the plan period, then additional sites over and above those identified would be required to be included as allocations in the new draft Publication Draft Local Plan.

Site Allocation H37 was included in Table 3 as a “potential new housing site allocation which was previously rejected.” In this regard the Officers advised that:

“Table 3 includes sites that have in the past been assessed against the site selection criteria and rejected, **but now given further work Officers feel should be considered. These could potentially be included in the Publication Draft without the need for a further additional consultation, as they have already been the subject of public scrutiny through previously prepared published Local Plan evidence.**”

Notwithstanding this independent objectively assessed housing need evidence, Members opted to reject the recommended, reasonably conservative market adjustment of 10% and therefore retain the baseline figure of 867 dwellings pa.

Officers advised Members in para 92 that:

“ Plan making is not without risk and will be subject to an EIP ...Therefore Members will need to satisfy themselves (and subsequently the Inspector appointed in the EIP) of the rationale for discounting and substituting a different perspective to some of the GL Hearn recommendations. In this regard, Members are referred to the legal implications section and the statutory duty to only submit a Plan for examination that is considered to be ‘sound’.”

The Executive duly endorsed the Members decision to retain a baseline figure of 867 dwg/pa and with the exception of a handful of long term sites, determined not to reinstate the additional Housing Allocation Sites previously rejected, as set out in Table 3 including H37.

Evidently, in rejecting this independent OAHN by making no allowance (10% adjustment, which in itself is conservative) for the strong market signals identified, this renders the OAHN figures non-compliant with NPPF and NPPG guidance and therefore this Publication Draft Plan consequently cannot be found sound.

These representations therefore support the revision of the OAHN figures to reflect **at least the 10% market adjustment recommended by GL Hearn** and in so doing to reinstate all sites for housing allocations as recommended by Officers previously refused (as set out in Table 3) . This Table includes reinstating the subject site (H37) as a housing allocation. This will help address market signals regarding house values and incomes and also address affordable housing need, as both are inextricably linked. This will also improve deliverability and choice.

This view is further reinforced by the publication of the recent **Housing White Paper (Consultation) September 2017**. This very recent Government Consultation document seeks to set out a standard approach for calculating OAHN figures. This recent Paper confirms that the ONS projections for a local authority areas are the most robust estimates for growth (para 16) and that these projections should be the demographic baseline for every LPA.

However, having set this baseline, this recent Government Paper confirms that:

“We consider that household growth on its own is insufficient as an indicator of demand ...”(para 18)

This draft guidance goes on to advise that:

“ There is a long standing principle in planning policy that assessing an appropriate level of housing must address the affordability of new homes, which means in practice that projected household growth should be adjusted to take account of market signals.”

This Consultation Paper suggests that an **upward market adjustment in housing need is required if the average house price is more than 4 times the average income.**

The Department for Communities and Local Government has published its own assessment of housing need across the country. It estimates that whilst the City of York Pre-Publication Draft proposes a OAHN figure of 867 dwellings pa the Governments proposed standard formula for calculating the OAHN equates to **1,070 dwellings pa** which is significantly higher (23%) than the current 867 d/pa currently proposed and even higher than the 953 d/pa recommended by GL Hearn using a 10% adjustment.

Whilst this is a consultation document, this most recent guidance issued by the Government along with their own assessment of OAHN for each LPA area, further demonstrates that the current OAHN figure of 867 is not compliant with the key objective of the NPPF to significantly boost housing. The Publication Draft is evidently unsound as it does not include market adjustment to address affordability, particularly given the disparity of earnings to house prices identified in York.

Significantly, the majority of housebuilders who made representations to the previous Preferred Sites Consultation indicated across the board that the OAHN was too low previously and the majority supported a figure nearer to the Government’s own assessment of over 1000 plus dwellings. Indeed the earlier **Preferred Options Draft Plan 2013** proposed an OAHN figure of 1090 dwg pa.

Fundamentally, the Plan does not make provision for sufficient housing land to meet the projected housing need. As demonstrated, this is a consistent and widely held view based on up to date available data. Consequently the Publication Draft should at the very least include the Table 3 land allocations of the Officer Report to the LPWG Meeting (January 2018) within the Plan, which includes Site Allocation H37. This would still represent a conservative approach and notably would not meet the Government’s own recently published OAHN figure nor the Council’s own previous OAHN figures in the earlier drafts of the Local Plan (2013).

The neighbouring Local Authorities of Harrogate BC, Ryedale DC and Hambleton DC have objected to the approach taken in the previous Preferred Sites Consultation 2016 on the grounds that the failure to adequately address housing need within City of York could result in the potential for these neighbouring authorities being required to meet the housing needs of York City themselves.

Harrogate BC indicated that the approach taken in 2016 runs counter to advice received from Counsel and the previous Officer position in 2015 and hence the Plan runs the risk of being found unsound at the EIP. Harrogate BC does not wish to see York C seeking to “export” York’s housing needs to neighbouring authorities.

Similarly, Hambleton DC wants City of York to ensure that the longer term development of the City can be met without placing pressure on neighbouring authorities to meet any unmet need.

Notwithstanding the expressed views of the neighbouring authorities, the Publication Draft maintains the same approach to meeting OAHN as the previous Preferred Site Consultation 2016 and falls short of addressing the OAHN, is non-compliant with the NPPF policy and is therefore not sound. It will result in unmet housing need, exacerbating affordability issues and as a consequence, put pressure on neighbouring authorities to meet this unmet need.

(ii) JUSTIFIED

The planning legislation and NPPF requires that in order for the plan to be sound it must be:

“Justified: the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.”

As demonstrated above, we do not consider that the LPA have adopted the most appropriate strategy. This review of a Local Plan (last adopted in the 50s) is the appropriate time to consider and finalise/ adopt green belt boundaries (currently draft boundaries) for the longer term whilst simultaneously address objective housing need over the plan period to meet local need.

Unfortunately, political considerations have been introduced into the Local Plan process, leading to lengthy delays in its preparation of the plan (6 years) and a determined political approach to build the minimum houses and protect the draft green belt rather than adopt a sound plan and properly consider green belt boundary issues. This approach has been against Planning Officer advice throughout.

In an attempt to get the Local Plan moving, the Officers have had to work with this negative approach. As such, the adherence to vast strategic sites to build the majority of housing proposed requires a significant amount of up front funding for infrastructure and necessarily are more complicated to deliver. This constrains the overall supply of housing whereas the most appropriate strategy is to consider the OAHN and consider all options (including land on the fringes of the draft green belt) and sieve sites accordingly, with the result that a full range and choice of appropriate sites are allocated for development.

Officers undertook this task in 2013 following a thorough sieving exercise. H37 was allocated at the outset. More recently, Officers advised that if one accepted GL Hearn’s independent advice on uplift (which was conservative) then H37 should be reinstated as an allocated site. This site is immediately available for development having undertaken detailed pre-application Officer Advice and addressed all details via specialist consultancy advice as part of the earlier representations. The reinstatement of a range of smaller, available sites such as H37, rather than an intensification of housing on large strategic sites, is the most appropriate strategy having regard to the NPPF context. On these grounds the Public Draft is not justified and therefore not sound.

(iii) EFFECTIVE

The NPPF advises that in order for a Local Plan to be sound it must be:

“Effective: the plan should be deliverable over its period and based on effective joint working on cross boundary strategy priorities”.

Draft Policy H1 allocates only 41 sites to meet the OAHN for York over the Plan period. 19 of these sites comprise large development sites of over 100 dwellings whilst, 10 of these sites are strategic sites which are required to deliver very significant dwelling numbers, indeed the vast majority of all the planned housing. (eg ST15 proposes to deliver **3,339 dwellings**; ST14 : **1,348**; ST5: **1,700** or ST1: **1,200** and ST36: **769** dwellings.)

These sites will require a significant amount of infrastructure at the outset and very detailed master planning. It is well documented that this incurs much delay in any development programme. We therefore seriously question the deliverability of a consistent 5 year housing land supply to ensure choice and competition. This is not a realistic approach but an “all eggs in one basket” approach.

The NPPF definition of deliverability is:

“To be considered deliverable, sites should be available now, offer a suitable location for development now and be achievable with a realistic prospect that housing will be delivered on site within 5 years and in particular that development of the site is viable.”

A far more realistic and deliverable approach would be to allocate a wider range of smaller sites of varying sizes which could come on stream more readily throughout the Plan period and many within the first 5 years, such as H37, which is immediately available and deliverable for development. Pre-application advice has already been sought on much of the detailed material planning considerations for H37.

This development site is owned jointly by one single family. It is not in a flood plain; nor does it fall within a nature conservation designation; it is not contaminated; it is not classified as high quality agricultural land, it has no overhead power cables and as it is a green field site, it does not require clearance/ demolition works. It is relatively flat and has no physical development constraints. The site is available now, it offers a suitable, sustainable location for housing and there are very realistic prospects that the proposed housing could be delivered on this site with 12-18m from the grant of a planning permission. It is therefore highly deliverable, helping to meet York City Council’s immediate 5 year land supply. The site already has market interest.

We seriously question the deliverability of the proposed allocated housing in the Publication Draft consistently over the plan period. The Plan therefore fails to be effective and is not considered sound.

(iv) CONSISTENT WITH NATIONAL POLICY

The NPPF advises that in order to be sound the Plan must be:

“Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with policies of the Framework.”

National policy is contained in the National Planning Policy Framework (NPPF) issued in 2012. Para 17 of the NPPF states that:

“Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area and respond positively to wider opportunities for growth. Plans should take account of market signals, such as land prices and housing affordability and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities.”

Additionally, para 47 of the NPPF states that LPAs should:

“To boost significantly the supply of housing, LPAs should:

use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area...”

It goes on to state that:

“..identify and update annually a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, LPAs should increase the buffer to 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.”

Moreover the NPPG (March 2014) includes guidance for LPAs in objectively assessing and evidencing development needs for housing. It states that:

“The assessment of development needs is an objective assessment of need based on facts and unbiased evidence. Plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by supply of land for new development, historic under performance, viability, infrastructure or environmental constraints.”

The Planning Advisory Service (PAS) provides further guidance to LPA on plan making. The PAS have produced guidance on undertaking their assessment of housing need in their technical advice note “Objectively Assessed Need and Housing Targets”, Technical Advice Note June 2014. Their definition of total housing need is as follows:

“The housing that households are willing and able to buy or rent, either from their own resources or with assistance from the state.”

Para 182 of the NPPF states that:

“A LPA should submit a plan for examination which is considered is “sound”, namely that it is:

- **Positively prepared;**
- **Justified;**
- **Effective**
- **Consistent with national policy”**

For the reasons set out in the preceding sections, it is demonstrably the case that the Publication Draft does not comply with national policy and fails this test of soundness.

3.0 CONCLUSIONS

- These representations demonstrate that the Publication Draft fails the 4 tests of soundness, namely: positively prepared; justified; effective and consistent with national policy.
- Specifically, the Publication Draft rejects the independent advice regarding OAHN figures provided by the specialists GL Hearn and instead opts for a lower projected housing need figure. This is effectively contrary to NPPF and NPPG advice; it cannot be justified as the most appropriate strategy for planned housing for York and is not deliverable over the plan period. As the Publication Draft fails these 4 tests it fundamentally calls into question the soundness of this Local Plan as currently drafted. There is evident widespread concern and objection to this approach (not least from neighbouring authorities and the house building industry) as it is well documented that the affordability of homes given average earnings in the City of York is significantly skewed, creating an acknowledged affordability crisis.
- This position is further underlined by the very recent issue of the Government's Consultation Housing White Paper which similarly calculates the requirement for a significantly higher annual housing need figure, well in excess of the GL Hearn figure. Thus both very recent independent and objectively assessed housing need figures indicate that the current figure of (871dwg/pa) will not adequately meet the housing need of York.
- This fundamental flaw in this Publication Draft Local Plan can be rectified by adopting (at the very minimum) the independent GL Hearn figure which includes the 10% uplift (in accordance with NPPF guidance) and in so doing, to reinstate those housing allocations listed in Table 1- 3 (including H37) of the Officer's Report to the most recent LPWG 23rd January 2018. All of these suggested additional allocations have been thoroughly assessed technically by Officers of the Council and previously consulted upon and are considered technically appropriate for housing development.
- By reinstating these additional Table 1- 3 sites, the Council will be securing the optimum delivery of housing over the planned period, as the supply chain will benefit from a wider range of smaller sites which have a reduced requirement for up front infrastructure funding and are less complicated to implement in the short/medium term.
- This approach does necessarily rely on the development of green field and some specifically earmarked Green Belt sites. Yet this is the appropriate time to release such sites, through this rigorous Local Plan exercise, in a planned manner, in order to address the objectively assessed demand for affordable housing and affordable market housing for the local residents of the City of York. Indeed, a fundamental review of draft Green Belt boundaries around York is long overdue.

- Therefore, for the reasons set out within these representations, we strongly contend that the Publication Draft conflicts with the national policy of the NPPF and is not sound. In order for this plan to be found sound it would need to accept the GL Hearn 10% uplift to the OAHN , as a minimum, and as such reinstate deleted sites (as contained in Tables 1-3 as set out in the most recent Officer Report to the LPWG 23rd January 2018). This includes reinstating the allocation for H37 as promoted throughout this lengthy Local Plan process and as supported by Officer advice. These representations fundamentally call into question the soundness of the Publication Draft and accordingly challenge the basis for the proposed exclusion of this site allocation. These and all earlier representations submitted over the preceding 6 years provide extensive evidence to support the reinstatement of the allocation Site H37 as a modest, deliverable, short term housing allocation.

APPENDIX

A.1. DETAILED SITE SPECIFIC TECHNICAL CONSIDERATIONS OF SITE ALLOCATION H37

The subject site is located adjacent to the southern built edge of Haxby. It comprises rough, unmanaged, scrub land and extends to 3.57ha. Of this it is proposed that only 1.95 ha is allocated for housing development with the substantial remainder of the site proposed as public open space (POS) which will remain within the green belt. See Illustrative Layout Plan Rev J which shows the red line boundary of the site proposed for housing allocation.

The site is roughly rectangular and relatively flat. Its western boundary is demarcated by the Westfield Beck, a major local drain. The northern boundary is the hard built edge of the existing dwellings in Ashwood Glade and Hilbra Avenue. Hilbra Avenue dyke demarcates the north-eastern boundary. The southern and eastern boundary of the site will be defined by the dedicated structural tree belt and POS.

Access to the allocated site would be directly off Greystone Court, which currently has a locked gate across this existing road to prevent vehicular access to this land. Services for the site will be taken from this existing road.

The site is owned jointly within one family. It has no physical constraints. The site is available for development now.

(i) Pre-Application Consultation Undertaken in 2014

The site was proposed to be allocated in its entirety (3.567 ha) in the Preferred Options Consultation Draft (June 2013). At this time, notwithstanding the draft status of the allocation, the owners of the subject site were encouraged to undertake pre-application advice, in order to work up some agreed development principles for the development as this was identified as a short term, deliverable housing site.

A pre-application proposal was submitted in March 2014 supported by Illustrating Layout Plan 318/1000 Rev (H). Following a pre-application meeting with Planning and Highway Officers and detailed liaison with technical officers, a draft pre-application letter was received dated 21st May 2014. Further amendments to the layout were made to address detailed matters culminating in Rev I. Finalised pre-application written advice from York City Council was issued, dated 19th September 2014. (Appendix A)

The advice drew from a wide range of consultees and focussed on the detail of development in advance of working up a planning application. York City Council's Officer advice, which was subject to the progress of the Local Plan, **supported** the proposed development of 47 dwellings on a site of 1.95 ha. (Rev I: Appendix B) Accordingly, York City Council suggested entering into a Planning Performance Agreement with the agreement of an acceptable determination date determined by the Local Plan programme.

(ii) Developable Area of Proposed Site Allocation H37

These representations are supported by Illustrative Layout Rev J (**Appendix B**) which significantly, has been revised to amend and reduce the overall site boundary from 3.567 ha to 1.95 ha in order to clarify the site area proposed for this proposed housing allocation. The remainder of the site, which is proposed to be laid out as public open space, will remain permanently within the green belt as it is proposed to be dedicated in perpetuity to York City Council / Haxby Town Council.

The Preferred Options Local Plan (2013) removed the entire site of 3.56 ha from the Area Preventing Coalescence and included it within the new settlement boundary of Haxby. (General Housing Site H37). Within this wider settlement boundary and in accordance with our earlier Call for Sites Submission, the LPA allocated 1.4 ha for residential development. Having applied a standard density ratio of 30d/per/ha as a general guide to ensure the efficient use of land, the site was previously identified as having a capacity to accommodate 34 dwellings.

In our clients subsequent representations to the Preferred Options June 2013 we proposed to extend the “developable area” slightly within the overall allocated area from 1.4ha to **1.95ha** which still only comprises 55% of the entire site, with the remainder comprising open space; a public woodland walk and general landscaping. Applying the same general density ratio to this site would accommodate 48 dwellings. The updated Illustrative Master Plan Rev J demonstrates a scheme of mixed housing types comprising a total of **47 dwellings**.

It is evident from the Illustrative Master Plan Rev J that this slight extension to accommodate some additional housing does not materially change the overall spatial impact that the proposed development would have on the issue of the prevention of coalescence. The proposed allocation sits well within the 3.56 area excluded from the Area of Coalescence and the site would still include the same level of structural woodland planting and public open space.

This proposed “developable area” of 1.95 ha strikes a reasonable and appropriate balance between the need for the efficient use of sustainable land and the need to protect this wider area from encroachment. Moreover, this proposed modest increase in the developable area would have no adverse impact on the visual appearance of the views of this built edge when viewed from both nearer and distant vantage points, given the significant mitigation package of woodland planting and open space proposed.

The most recent LPWG Meeting (10th July 2017) Officer Report to Members proposes to reinstate the site allocation (H37) in Table 5 with a developable area of 1.95ha with the remainder of the site used as open space.

(iii) Officer’s Technical Review of H37 Post Preferred Sites Consultation July 2016

Following the submission of detailed representations in August 2016, Officers considered the detailed technical submissions on drainage; contamination; ecology and transport. Their assessment is contained in the Report to LPWG Meeting (10th July) in Annex 1 (pgs. 70-71). The Officers confirm that:

“The site is promoted alongside a generous provision of enhanced public open space (incorporating a woodland walk, balancing ponds and reed beds) which is proposed to be dedicated to York CC/Haxby TC in perpetuity and to remain within the Green Belt.”

The Officers confirm that the site was removed from the Preferred Sites Consultation Draft 2016 due to potential drainage and flood risk issues. The Officers clarify that the proposed SUDS will be located wholly within Flood Zone 1 and that **Yorkshire Water has confirmed that they have no objection in principle in terms of foul or surface water discharge.**

Accordingly, this recent Officer assessment (10th July 2017) confirms that:

“Officers consider therefore that the site could be included as an allocation within the Local Plan. See Map on page 89.”

The site was duly included in Table 5 (Sites including significant change) which Members may wish to consider. The supporting text in para 48 of Officers Report to members confirms that “other sites included (in Table 5) follow the consideration by Officers of submitted technical work.”

Para 49 (pg. 23) of the most recent Officer Report states that:

“If Members accept the recommendation of the GL Hearn Report then the additional sites and boundary revisions highlighted in Annex 3 would need to be incorporated within the Local Plan...”

Members opted to reject GL Hearn’s independent recommendation to the City of York.

These representations demonstrate that without the inclusion of these Table 5 Site Allocations , which have all been assessed in technical detail and have the technical support of Officers (and in many cases were included as site allocations in the Preferred Options 2013) this Local Plan must be found to be unsound.

In their most recent report (23rd January 2018) to the LPWG meeting Officers again recommended the inclusion of additional sites to meet housing need. Table 3 included H37. This recommendation was rejected.

(iv) Summary Of Site (H37) Considerations

These representations support the reinstatement of the housing allocation (H37). For the avoidance of doubt, this site extends to only 1.95 ha (developable area) whereas the site previously proposed for allocation comprised 3.56 ha . The extensive remainder of the site, is proposed to be laid out as public open space area (1.61 ha) and to remain permanently within the green belt.

The previous representations (See Appendix A) demonstrate robust and detailed justification for the reinstatement of this housing allocation, on the margins of Haxby, for this sustainable development. This proposed allocation would be developed in association with a substantial mitigation scheme. This would comprise the creation of an extensive, public open space including: a significant

woodland tree belt; a woodland walk and a large balancing pond with reed beds as a landscape feature and sustainable drainage system.

These enhanced landscape proposals for this site will significantly improve the visual appearance of the southern boundary of Haxby and not prejudice the Area Preventing Coalescence, particularly as there is already extensive ribbon development along the Haxby Road, as previously recognised and accepted by Officers.

This proposal will create a more defensible, permanent Green Belt boundary, to safeguard against future coalescence through the dedication of this POS to York CC/Haxby TC for the public in perpetuity.

This allocation would help to meet the need for short term, new, open market housing and affordable housing for the local community, in a modest and incremental manner whilst appropriate financial contributions will be included as part of the grant of permission to fund the necessary additional infrastructure required to support this new housing.

Independent evidence submitted in association with these previous representations from specialists in relation to Highways; Drainage; Ecology and Contamination have all demonstrated and concluded that there are no overriding technical constraints preventing the reinstatement of this allocation (H37) of this site for residential development. This specialist evidence demonstrated that the previous objections made by local objectors cannot be substantiated.

In particular a comprehensive Drainage Statement was previously submitted which addressed specifically the issues raised by technical officers. It provides a Drainage Strategy and demonstrates that there is a suitable drainage solution for this site. As such, drainage constraints cannot reasonably be used to justify the deletion of this site as a housing allocation. Indeed there is no objection from Yorkshire Water.

In summary, the proposed development of this modest site for housing is supported by far more detail than is usual for consultation purposes in a Local Plan. As such, it has been demonstrated that all technical matters have been considered at this very early stage through a pre-application assessment of this proposed development in 2014 by Officers of City of York; these technical considerations were further reinforced by detailed representations submitted in August 2016. This latter technical assessment of the subject site (H37) were assessed by Officers of City of York more recently (10th July 2017 LPWG Report and 23rd January 2018) which supported the technical assessment and confirmed that Officers raised no objections and recommended the reinstatement of the allocation of Site H37.

The level of detail already prepared for this site, would enable the early submission of a planning application and enable the early delivery of this housing site within 12-18 months from the grant of planning permission.

A.2 HISTORY OF SITE ALLOCATION (H37) IN YORK LOCAL PLAN

(i) Consideration of the Relevant Development Plan Context

The Development Plan for York currently consists only of the revoked parts of the Humber Regional Strategy relating to the Green Belt of York. This does little more than identify the “general extent” of the Green Belt in similar terms to the now revoked Structure Plan as “a belt whose outer edge is

about 6 miles from York City Centre. It required "detailed boundaries" to be defined in order to establish "long term development limits" that safeguard the special character and historic setting of the City and take account of forecast growth levels to endure beyond the plan period (Policy YH9c). This task has never been completed.

Whilst the City of York Development Control Local Plan was approved by the Council for development control purposes in April 2005 it does not form part of the Development Plan for development control purposes. No examination was ever completed and the Deposit Draft Plan progressed through a series of untested modifications, all subject to a substantial number of objections, until further work ceased in favour of the Core Strategy (the latter now withdrawn.)

Therefore, the 2005 Development Control Local Plan is some 12 years old and its role must largely depend upon its consistency with the NPPF, whilst always bearing in mind that this 2005 Plan is not actually part of the statutory Development Plan. It is evident that several recent appeal decisions determined by the Secretary of State ascribe the 2005 Plan "very limited weight".

Accordingly, the emerging new York Local Plan is seeking to address this vacuum and formally define detailed green belt boundaries at the margins, for the first time, in relation to the built up urban areas surrounding York and the surrounding town/ villages.

(ii) The Yorkshire and Humber Regional Plan- May 2008

As identified above, the majority of this Regional Spatial Policy guidance has now been revoked with the exception relating to the Green Belt around York. The Key Diagram identifies the 'general extent' of the Green Belt as a belt whose outer edge is about 6 miles from York City Centre.

This Regional Guidance confirms that whilst this Key Diagram shows the general extent, there may nevertheless be more specific and localised need to:

"...reconsider the extent of Green Belt boundaries to meet identifiable needs...the detailed inner boundary of the York Green Belt and parts of the outer boundary have not been designated in a development plan."(para 2.63)

Moreover, it recognises that:

"most sustainable locations to accommodate some of this development may be currently within the Green Belt. This will be considered through the preparation of LDF's..."(para 2.64)

Thus, this document does little more than establish a general regional context within which the 'general extent' of a belt of green space is identified, where it advises that the inner and outer boundaries have not been defined in detail.

Accordingly, this current Local Plan review is an appropriate time to assess and formally define these greenbelt boundaries.

(iii) 2005 Development Control Local Plan

As discussed above, this Plan is not statutorily adopted and as such does not form part of the Development Plan, it is out of date and pre-dates the publication of the NPPF. Given its age, the

untested nature of the Plan, its relevance must largely depend upon its consistency with the NPPF, notwithstanding that several recent appeal decisions determined by the Secretary of State ascribe “very limited weight” to the policies of this Plan.

(iv) National Planning Policy Framework (NPPF)

In the light of the publication of the NPPF, York Council recognised that this represented “a fundamental reassessment of both the overall direction and detail of the planning system” and that the LDF Core Strategy should be withdrawn and a new Local Plan should be prepared. (Reference Local Development Framework Working Group Committee Report 3rd September 2012).

This followed the Inspector’s “significant concerns” regarding potential soundness and compliance of the Core Strategy. Subsequently, following the approval of the Community Stadium and Monks Cross, the Inspector advised that a “radical review” of policy was required. The Council took on board the:

- The need to plan positively for new development;
- That planning should operate to encourage and not act as an impediment to sustainable growth;
- At the heart of the new system is a new ‘presumption in favour of sustainable development’;
- A new emphasis on attention to viability to ensure development plans are deliverable;
- Local plans must be positively prepared, justified, effective and consistent with national policy.

In relation specifically to green belt land the NPPF advises that:

- LPAs should establish green belt boundaries in their Local Plans through their preparation or review ;
- In doing so, LPAs should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the Plan period;
- When drawing up or reviewing Green Belt boundaries LPAs should take account of the need to promote sustainable patterns of development;
- Not include land which is unnecessary to keep permanently open;
- Define boundaries clearly using physical features that are readily recognisable and likely to be permanent.

(v) Preferred Options: City of York Local Plan June 2013

This document sought to address the previous Inspector’s concerns regarding the withdrawn Core Strategy and adopted a fresh approach, in line with the NPPF requirements, to plan positively for sustainable development. It sought to refresh the evidence base in the light of these new guidelines and review the green belt boundaries at the margins.

Accordingly, in this Local Plan document, which was supported by background Technical Studies, the subject site was removed from the Area of Prevention of Coalescence and allocated for residential development (**Draft Policy H3 : Allocation H37**). This allocation identified the site for development in the ‘short term’ and identifies the site for 34 dwellings based on a general density calculation.

Draft Policy H3 Table 10.1 identified the Housing Allocations and indicated that:

“Planning applications for housing submitted on these housing allocation sites and in accordance with the phasing indicated will be approved if the proposed scheme is in accordance with the relevant policies in the draft plan.”

The supporting text indicated that:

“ By allocating a site the Council is establishing the principle of development of that site for housing.”

This allocation was supported by a ‘Sustainable Location Assessment ‘which is presented in the **Sustainability Appraisal (SA)** and the **Site Selection Technical Paper (June 3013)**. The site was also assessed in the **Historic Character and Setting Update (June 2013)**: Annex B Site 27 which stated that:

“This site was submitted through the Call for Sites process. Removal of this site from the Area Preventing Coalescence and developing for residential development would not prejudice the Area Preventing Coalescence between Haxby and New Earswick because the proposed development would only form a modest extension to Haxby, mitigated by a soft landscaping approach to the development, with a public woodland walk on the southern boundary of the proposed new dwellings, significantly improving the visual appearance of the southern boundary of Haxby. The proposal will create a more defensible , permanent boundary to safeguard against future coalescence.”

Moreover, the **Site Selection Paper (June 2013)**: Annex 22 recognised that:

“...the removal of part of this site from the Area Preventing Coalescence and developing for residential development would not prejudice the Area Preventing Coalescence between Haxby and New Earswick because ribbon development already exists along Haxby Road and the proposed development would only form a modest extension to Haxby, mitigated by a soft landscaping approach to the development,...”

In relation to flooding and drainage matters , Annex 22 of the **Assessment of Sites Technical Paper** states that:

“The site is located within Flood Zone 1. A Flood Risk Assessment will be required in line with Policy FRI of the Plan.

New development will be expected to incorporate Sustainable Drainage Systems (SUDS) in line with Policy FR2 and will not be permitted to allow outflow from ground water and/or drainage to enter public sewers in line with policy FR3.”

Thus, this earlier draft local planning policy documentation, supported by detailed Technical Papers , prepared within the context of the new NPPF guidance by York City Council’s technical officers , acknowledged that in reviewing the boundaries of the Area Preventing Coalescence/Green Belt, the subject site would not prejudice or materially harm the prevention of coalescence of Haxby and New Earswick. Indeed, it is recognised that there is a ribbon of existing development to the east of the site (Haxby Gates) which intrudes far deeper into the Area of Coalescence. Moreover, drainage and flooding issues were assessed and it was concluded that the site fell within Flood Zone 1 and drainage matters would not in principle constrain development.

(vi) Publication Draft 2014

Notwithstanding some local objections received to this allocation (which are considered below), the subject site continued to be identified in the Publication Draft as an allocation for housing, on the basis of all the Council's own previous detailed technical evidence and site selection assessments. Thus, the subject site was proposed to be allocated in Table 5.1 as site H37 for 34 dwellings (Short term 1-5 yrs) pursuant to Policy H1.

Following a change in the political makeup of the Council, this Publication Draft 2014 was subsequently abandoned, in favour of a review of the approach to planned housing provision.

(vii) Preferred Sites Consultation July 2016

The subsequent revised draft Local Plan Preferred Sites Consultation Draft July 2016 proposed the **deletion** of the subject site as a previously proposed allocation for housing (H37) in Table 12. The guidance in the draft text advises that sites were discussed with relevant technical officers to:

"...understand whether anything had changed in relation to the site appraisal."

The written justification provided for this reversal of this technical opinion, states that:

"The site has been removed following further technical officer consideration primarily relating to surface water drainage and flooding issues but also concerns relating to coalescence and cumulative impacts. The site contains areas of Flood Zone 2 and is adjacent to Flood Zone 3b (functional flood plain) and is directly adjacent to Westfield Beck. There are significant concerns relating to the capacity of the existing surface water drainage and sewerage system particularly in relation to the capacity of Haxby Walbutts Waste Water Treatment Works. There are also Green Belt concerns relating to weakening the degree of separation between Haxby and Wiggington and New Earswick and encroachment into open countryside."

Having drilled down in order to try to understand what evidence has changed since June 2014, we have referred to the **Preferred Sites Consultation Sustainability Appraisal July 2016**, where pg 49 considers the subject site H37. This summary states that:

"The site may provide 34 dwellings and therefore is likely to be positive for meeting housing need. This site has access to services and facilities as well as transport connections and consequently scores positively in relation to objectives regarding health, education, transport and equality and accessibility.

Negative effects on land use are identified as the site is green field.

Potential negative effects are identified in relation to heritage as there is the potential for archaeological deposits.

Negative effects on landscape have been potentially identified given this would move development closer towards the outer ring road.

Potential negative effects are also identified given its proximity to a water course.

Neutral impacts are identified on biodiversity and flood risk assessments.”

The technical officer’s assessment in 2016 of the site conflicted with the previous technical officer assessments of the subject site. Even within the Preferred Sites Consultation the reasons for the proposed deletion of this site appear to conflict between the Preferred Sites Consultation and the Sustainability Appraisal July 2016. The Preferred Sites Consultation identifies the primary reason for proposed deletion as surface water drainage and flooding. Yet the Sustainability Appraisal refers to “neutral impacts “for flood risk. These same drainage concerns were all identified in respect of the Land North of Haxby Allocation (ST9) yet this site remained as a vast allocation, notwithstanding the same potential negative impacts.

The reasons suggested in 2016 regarding the weakening of the separation between Haxby and Wiggington/ New Earswick ignored the earlier evidence submitted and accepted fully by the Technical Officers as sufficient mitigation in this matter to override these concerns, as outlined above, both in relation to emerging local plan evidence and a detailed pre-application process.

(viii)Pre-Publication Draft October 2017

Officers considered this subject site to be appropriate in all technical respects for reinstatement as a housing allocation (H37) in a recent report to the LPWG Meeting July 2017 (Annex 1 pg 70), concluding that:

“Officers consider therefore that the site (H37) could be included as an allocation within the Plan see map on page 89).”

However, Members rejected the majority of the sites contained in Table 5 of Officer’s Report to LPWG 10th July 2017 and chose a lower OAHN figure for the Local Plan period. We have previously demonstrated that this OAHN figure adopted by Members does not reflect the independent assessment and recommendation of GL Hearn nor the latest draft Government assessments.

Our representations to this Pre-Publication Draft request that the recommended GL Hearn OAHN is at the very least, adopted in order to adequately address future housing need on the City of York and that within this context, that the subject site be reinstated as a Housing Allocation (H37) having been supported by Officers on all technical grounds.

Whilst the site falls within the draft Green Belt, on the built southern edge of Haxby, this site should nonetheless be removed from the GB as part of this Local Plan review and reallocated for development to boost housing and meet local need, in accordance with the NPPF requirements and City of York Officer assessments. Demonstrably, without the inclusion of Table 5 sites, the Local Plan cannot adequately meet housing need for the plan period and as such cannot be found sound.

(ix)Publication Draft 2018

Similarly in the Officers most recent Report to LPWG Meeting on 23rd January 2018 they supported the reinstatement of H37 having been satisfied on all technical issues and acknowledging that this site had already had public scrutiny.

This recommendation was nevertheless rejected by LPWG Committee. H37 currently remains excluded from the Publication Draft Housing Allocations.

A.3. GREEN BELT CONSIDERATIONS

(i) Principle of Housing Allocation and Green Belt Boundary Considerations

In allocating this site for housing in previous drafts, the LPA have already acknowledged the sites appropriateness in principle, for residential development and its potential to meet short term housing demand having fully assessed the site through various published background technical papers prepared by York CC technical officers.

Despite the whole open area of land between the southern boundary of Haxby and York previously being designated as an Area Preventing Coalescence, it is evident and was previously recognised by technical officers, that this area has already been significantly breached by the ribbon development which extends southwards along the Haxby Road (Haxby Gates) where residential dwellings line both sides of this road. Thus, this southern boundary of Haxby **already** protruded into this Area of Coalescence as a long finger of development which can be readily seen from the ring road to the south and from the open area of countryside. Please refer to Illustrative Master Plan. This includes a 1:2500 Site Location Plan, which clearly shows this intrusion, in relation to the subject site. This anomaly was recognised in the previous drafts where a correct settlement boundary for Haxby was drawn, to accurately reflect the existence of this ribbon development.

Currently, the “hard” built southern edge of Haxby, comprising the existing residential development off Greystone Court, can be seen from various distant vantage points along the ring road and from nearer viewpoints within the open area. A fundamental part of the proposed development of this site comprises the creation of a dense, structural woodland belt which “wraps” around the southern part of the site and entirely screens the new housing from view. As part of the pre-application submission, we enclosed panoramic photographs from Vantage Point A (near view) and Vantage Point B (distant view) comparing the existing built southern edge of Haxby and a CGI of the proposed southern boundary, where the latter is entirely screened by the proposed structural landscaping. Beyond, to the south of this landscaping belt there will be a significant area of public open space which can either be dedicated to York Council/ Haxby Town Council for the public’s use in perpetuity or managed by a management company, associated with the development, for the public’s benefit.

Thus, as demonstrated, this proposal to include a modest area of land on the edge of Haxby for future housing to meet housing demand in the short term would create an acceptable form of sustainable development and would be appropriate in land use planning terms. This would comprise a modest extension to Haxby, without further harming the issue of coalescence, given the site would sit well within the existing Haxby Gate ribbon extension. Furthermore, the development itself would create an overall enhancement of this southern boundary through the proposed structural landscaping to “soften” views of this southern boundary.

This carefully planned mitigation package strongly supports the re- allocation of this site for residential development, as previously supported in the previous Background Technical Papers and in the previous allocation of this subject site for Short Term Housing development.

This fundamental review of Local Plan green belt boundaries is long overdue and is in accordance with the current thrust of NPPF guidance (para 85) to plan positively for sustainable growth to meet

the identified need for housing over the plan period and to ensure that green belt boundaries will not need to be altered at the end of the development plan period. This new proposed boundary will be permanently defined by the proposed structural tree belt and public open space beyond which is proposed to remain within the green belt under the control of York CC/ Haxby TC.

In terms of the five purposes of green belt land, as stated in the NPPF, we would comment as follows:

(a) Check unrestricted sprawl of large built up areas

The proposed allocation of the subject site is of a modest, incremental nature which is not proposed to extend development as far as the existing Haxby Gates ribbon development. Moreover, the proposed structural tree belt and proposed significant public open space to the south, will serve to enhance the existing hard built up edge of Haxby, as viewed at a distance from the ring road. This POS will be dedicated to York CC / Haxby Town Council in perpetuity to remain within the green belt always, preventing future urban growth. This POS will create a permanent defensible green belt boundary for this southern part of Haxby whilst enabling modest housing growth and overall landscape enhancement, through the planned redefining of the green belt boundary at this appropriate Local Plan stage and preventing any further urban sprawl.

(b) Prevent neighbouring towns merging, and

(c) To assist in safeguarding the countryside from encroachment

This development is modest and incremental. In consideration of the existing ribbon development at Haxby Gate and the substantial mitigation proposed to create a new permanent, defensible boundary to the green belt in perpetuity, these proposals do not materially harm the coalescence of Haxby with Wigginton and New Earswick. This extensive POS is proposed to remain within the green belt, ensuring there still remains extensive countryside separating these settlements.

Moreover, the proposals would replace indistinctive scrub land with much needed short term, deliverable housing and provide an extensive landscaped Public Open Space (POS) area with a woodland walk and grasslands for the enjoyment of Haxby residents. This also addresses an acknowledged open space deficiency for Haxby residents.

This assessment of potential encroachment when considered within this particular context and on the basis of the significant mitigation package, was previously supported and accepted by technical officers of York City Council.

(d) Preserve the setting and special character of historic towns;

(e) To assist in the urban regeneration, by encouraging the recycling of derelict and other urban land.

The redefining of the green belt boundary as part of this planned local plan review in such a modest way, coupled with the mitigation proposed, will not impact on the setting of historic York.

There are few derelict urban sites within Haxby for redevelopment accordingly, in order to accommodate local growth in this sustainable settlement for housing, the Council have to consider development on green field sites on the fringes. This is a modest proposal which will provide much benefit for the public whilst meeting the Council's identified housing requirements (including affordable housing) throughout the plan period.

Therefore, the development of this site complies with the thrust of NPPF policy and it has been demonstrated that in land use planning terms, this site comprises an acceptable and appropriate site for residential development. A conclusion supported by technical officers of York City Council in both Forward Planning and Development Management. .

A.4. CONSIDERATION OF PREVIOUS OBJECTIONS TO SITE ALLOCATION H37

Local Objectors

The objections to the allocation of land for new housing in Haxby related both to the subject site (H37) and to the strategic housing allocation to the north of Haxby (ST9 Land North of Haxby). Whereas the subject site proposed 34 dwellings only (and could propose up to 47 dwellings), the strategic site north of Haxby (ST 9) proposed 735 . Both sites are green field and fall within the draft green belt.

York Council has consistently identified Haxby, through their extensive Local Plan work, as a sustainable district centre which is suitable to accommodate new growth to help meet the demands for the district as a whole.

Whilst the Haxby North (ST9) allocation has far wider implications and impact given the scale of development proposed and the infrastructure required , the subject site allocation at Greystone Court (H37) comprises a more modest and incremental extension to Haxby which can be justified and supported fully at the detailed planning application stage. Moreover, the housing can be delivered within 12-18 months from the grant of permission.

Local objectors raised concerns regarding the increased demand which would be placed on local services, yet the development would be required to contribute to existing facilities in order to accommodate this new housing.

The recent **Sustainability Appraisal July 2016** considers the subject site and confirms that:

“The site has access to services and facilities as well as transport connections and consequently scores positively in relation to objectives regarding health, transport and equality and accessibility.”

Moreover, the Pre-Application Officers Written advice dated September 2014 states recognises that:

- **“The site is located in a sustainable location with access to frequent bus services to the city centre and to shops and facilities in Haxby... Highways comment that improvements should be sought to local bus stops as part of the scheme”**
- **“Greenfield sites require 30% affordable housing provision. If 47 houses are proposed 14 should be affordable;”**
- **“Headlands Primary School currently has a small amount of surplus space (5 places) so we would currently be looking at a contribution towards 7 additional places (£83,889). Joseph**

Roundtree currently has sufficient space to accommodate any pupils from this development and therefore no contribution would be required;

- **“There is good provision of open space in the scheme. Long term ownership and management of the POS would need to be agreed.”**

Local objectors also raised concerns regarding the capacity of the highway and drainage network and issues regarding contamination and ecology/landscape. Whilst this is an early stage in the development process, the land owners have nevertheless sought specialist advice on Highway; Drainage; Contamination and Ecology matters. This specialist advice discussed in the previous representations (Appendix A) concludes that in each case there are **no such constraints** on capacity which would prevent this sites allocation for residential development.

The land owners have also sought pre-application advice from Officers at York City Council on all material planning matters arising in relation to the development of this site. This preliminary pre-application advice, based on an Illustrative Master Plan Rev I which had been worked up in conjunction with Officers of the Council, supports the principle of the development of this site for residential development (without prejudice to the Local Plan process) having regard to all relevant technical issues.

Indeed, the land owners would not be promoting this allocation through the Local Plan, if such technical matters could not be satisfactorily addressed at the detailed planning application stage.

Any future approval of permission will be subject to appropriate Sec 106 financial obligations and/or appropriate CIL payments to support local facilities and services where required. This will be a binding legal obligation upon the implementation of development.

Whilst the proposals to develop this site are at a very early conceptual Local Plan stage the land owners did nevertheless write to all Members of Haxby Town Council to provide an overview of the proposed concept and expressed a willingness to consult further at a future planning application stage. The development will create significant community benefit in providing:

- A choice of modern , high quality, sustainable housing ;
- A proportion of affordable housing for the community;
- Enhancement of existing scrub land to create a woodland walk way and a significant area of dedicated public open space for the enjoyment of the community in perpetuity;
- The creation of a circular walk way which links Westfield Beck and the Millennium Woods;
- Enhanced wildlife habitats.

English Heritage Representations

English Heritage refer in their representations to an Inspector’s historic comments to the previously abandoned York Green Belt Local Plan in 1994 (some 24 years ago) to the proposed allocation of a much larger site for housing (3.53 ha), unlike the currently proposed significantly reduced , proposed site allocation area of 1.95 ha. Moreover, there was no proposed landscaping belt; walk ways and screening and the dedication of POS proposed in mitigation. Furthermore, there was a different context for housing demand within the City of York 24 years ago, as documented in the appeal letter.

The current proposals, some 24 years hence, reflect a very different proposal which has been carefully considered and worked up with Officers of York City Council through the pre-application process. The current proposal seeks a reasonable balance between allowing some modest

incremental housing development on the urban edge which will help meet the short term 1-5 year supply of housing whilst also creating a defensible long term **permanent** landscape belt which also enhances and screens the existing hard urban edge of Haxby, when viewed from the Ring Road. Furthermore the dedicated open space provision of 1.61 ha would serve to address currently identified local open space deficiency within the ward.

A.5 SITE SPECIFIC CONCLUSIONS

- For the avoidance of doubt, the site proposed to be reinstated for housing development extends to only 1.95 ha. It is proposed that the extensive remainder of the site is laid out as public open space area (1.61 ha) and remains permanently within the Green Belt.
- These and previous representations demonstrate robust and detailed justification for the reinstatement of this site allocation (H37) on the margins of Haxby, for this sustainable development. This proposed allocation would be developed in association with a substantial mitigation scheme. This would comprise the creation of an extensive, public open space including: a significant woodland tree belt; a woodland walk and a large balancing pond with reed beds as a landscape feature and sustainable drainage system.
- These enhanced landscape proposals for this site will significantly improve the visual appearance of the southern boundary of Haxby and not prejudice the Area Preventing Coalescence, particularly as there is already extensive ribbon development along the Haxby Road, as previously recognised and accepted by Officers;
- This proposal will create a more defensible, permanent green belt boundary, to safeguard against future coalescence through the dedication of this POS to York CC/Haxby TC for the public in perpetuity;
- This allocation would help to meet the need for short term, new, open market housing and affordable housing for the local community, in a modest and incremental manner whilst appropriate financial contributions will be included as part of the grant of permission to support the necessary additional infrastructure required to support this new housing.
- The proposed provision and dedication of this extensive Public Open Space to City of York/Haxby Town Council in perpetuity, also helps to address the identified deficiency in public open space for the Haxby/Wigginton ward.
- Fundamentally, this modest site represents a sustainable, available, deliverable, and viable housing site which can be brought forward for development in the short term (12-18m) as part of the Local Plan process, in association with a significant mitigation package.
- The detailed site specific work undertaken to date (with Officer support) for this site, is sufficient to support an early planning application and early implementation of this site for much needed new family and mixed housing.



SID 91

**City of York Local Plan
Publication Draft 2018
Consultation response form
21 February – 4 April 2018**

OFFICE USE ONLY:
ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title		MRS
First Name		DEBBIE
Last Name		HUME
Organisation (where relevant)		STRATHMORE-ESTATES
Representing (if applicable)	WESTFIELD LODGE & VALDARA LTD	
Address – line 1		[REDACTED]
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B - Your Representation

(Please use a separate Part B form for each issue to you want to raise)

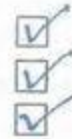


3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment



What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

No

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

No

4.(3) Please justify your answer to question 4.(1) and 4.(2)

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?
Yes No

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared

Justified

Effective

Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

SECTION 5 HOUSING

Policy Ref.

POLICY H1

Site Ref.

#37

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

PLEASE REFER TO ATTACHED
WRITTEN REPRESENTATIONS
DATE) MARCH 2018 FOR REASONS.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

PLEASE REFER TO REPRESENTATIONS
ATTACHED DATED) MARCH 2018

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation



Yes, I wish to appear at the examination

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.



Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law.¹ The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145).

Signature

Date

27/3/2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: Jonathan Shaw [REDACTED]
Sent: 27 March 2018 16:53
To: localplan@york.gov.uk
Subject: York Local Plan

H39. Extension to Beckside.

I, Jonathan Shaw [REDACTED] wish to object to this proposal on the grounds of soundness for the following reasons:

H39 was previously deemed by the Planning Inspector to serve as Green Belt purposes. Furthermore, the extra traffic that would be generated from the 32 houses would adversely impact on the existing residents of Beckside.

I would suggest it is replaced by the previous submission: H26. Dauby Lane. This would have the beneficial effect of connecting the two residential areas of the village.

SP1. The Stables. Travelling Showpersons Site.

I, Jonathan Shaw [REDACTED] wish to object to this proposal on the grounds of soundness as the previous Planning Inspector's report was that it granted for 5 years use only, which has now expired. CYC should abide by that Planning Inspector's analysis and decision.

ST15. Whinthorpe/The Airfield.

I, Jonathan Shaw [REDACTED] wish to object to this proposal on the grounds of soundness for the following reasons:

The first version of the Local Plan included ST15 as 'Whinthorpe'. This was significantly better sited than the current proposals, being much closer to the A64 – its principal access point. This allowed for the retention of the airfield runway and lessened the adverse impact on Elvington and Wheldrake. The A64 clearly separates the site from Heslington so the visual and auditory impact on that village would be minimal. As it is proposed, ST15 being the size of Pocklington is far too close to the villages of Elvington and Wheldrake as well as being disproportionate in size to them. It would dominate the area, when it could and should be sited further away.

There has been no provision regarding information of infrastructure, in particular the transport links to the A64 and B1228 but also the ability of drainage to cope with not only the extra housing but the loss of a natural soakaway. No mention has been made of extra schools, churches, shops etc to cope with all the extra residents. The effect on the surrounding countryside, and the neighbouring villages of Elvington and Wheldrake, will be vast.

Furthermore it is thought absurd and economically ill-advised to destroy the airfield runway in the way proposed. Elvington Airfield is an important part of York's history and the full-length runway should be retained for historical reasons and future strategic need, along with the existing recreational activities that currently take place. Once destroyed it can never be recreated. Furthermore the airfield holds almost all of the UK's land speed records and is itself a major asset for tourism, which is a stated economic strategic priority for York. Additionally the adverse impact on the internationally respected Yorkshire Air Museum and Allied Air Forces Memorial would further damage tourism and indeed the reputation of York itself. The airfield and the Air Museum together currently contribute significantly to the York experience and revenues. Retaining the airfield also keeps open the option of a commercial aerodrome should this be deemed desirable in the future.

Notwithstanding this, the airfield is Green Belt and a site of importance to nature. The adverse ecological impact of ST15 would be less if it were sited north as originally proposed.

In conclusion, ST15 as it was originally proposed alongside the A64 and adjacent to the proposed new junction would not cause any of the above issues.

Thank you for your attention in the above matters of high importance.

Jonathan Shaw

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 27 March 2018 17:54
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104760

Date submitted: 27/03/2018

Time submitted: 17:53:36

Thank you for submitting your Local Plan Publication Draft response form (ref: 104760, on 27/03/2018 at 17:53:36) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Dr

Forename: Allan

Surname: Harris

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? NoCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I am not able to judge this as a lay person but within the narrow description of the terms of these conditions it does not seem unlawful. Whether it accommodates the restrictions of the site proposed (ST9) from an environmental point of view I am unsure.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development
- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not justified

Please give reasons for your answer(s):

NTS 3 for ST9 (Sustainability)

Education. A new primary school would be an essential part of this development.

Accessibility. Moor Lane, the main proposed access route, is already a very busy road as it is used by people from the north of York to access the bypass through Haxby and Wigginton. Site traffic and subsequent domestic traffic would be too much for what is a narrow 18th century road with limited scope for change. The road is used by pedestrians, agricultural traffic, horses and cyclists at present.

Transport. Private car use will be an inevitable result of such a development in this area. Bus transport in Haxby is good, a new bus route would be essential and dedicated cycle lanes would also be a matter of safety provision.

Climate change. Currently this is arable land with mature enclosure fields and hedges. The proposed part of the development for playing fields etc is underwater for large parts of the winter and the whole area is prone to waterlogging and acts as a flood sink for the north of Haxby. The existing beck through the site drains the area but having walked the footpath continuous from Crooklands Lane to Cross Moor Lane I can confirm that in the winter it is saturated.

Biodiversity. The trees, mainly oak near Moor Lane, and hedges are mature and rich in species and birdlife.

Land Use. This is productive agricultural land, despite its wetness. Potential loss of this to the built environment is to be regretted.

Drainage of this area is going to be problematic as the water table in the winter months is already high in Haxby and this land is very wet and drains eventually through the beck to the Foss.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: NTS for ST9 - Sustainability

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further

representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

The traffic use of Moor Lane needs a detailed assessment. The road is constantly busy in the day, especially at peak times and has become more so in recent years.

The infrastructure needs of the site need to be examined in detail, especially drainage, loss of environmentally important trees and hedges and loss of agricultural land.

The drainage and flooding aspect of this land is worrying as it is a bog in the winter, especially that part designated as recreational land.

Site access for 700+ houses has to be through a busy village, already with multiple parking problems and up a country road through residential areas.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: jadu-www@rsvm120.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 28 March 2018 07:41
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104778

Date submitted: 28/03/2018

Time submitted: 07:41:12

Thank you for submitting your Local Plan Publication Draft response form (ref: 104778, on 28/03/2018 at 07:41:12) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Mr

Forename: Steven

Surname: Davenport

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? NoCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

It has not taken account of many of the residents views

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? No, I do not consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES] not positively prepared,not effective

Please give reasons for your answer(s):

The document does not seem to really consider the amount of brown field sites located in and around York before investigating the need to build on green belt/green field sites on the periphery of York.

The transport network is particularly poor to the north of the city with the ring road (A1237) snarled up every week day during rush hours and anytime throughout the weekend causing misery to many car owners.

In addition, education is an issue with schools full to bursting.

The Council always seems to take the easy option, often sercumming to property developers requests rather than listening to the residents of York.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Development

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

More consultation with residents which the plan actually affects.
Consideration to developing the brown field sites first (tear drop).

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

[REDACTED]

From: eileen roberts [REDACTED]
Sent: 28 March 2018 11:50
To: localplan@york.gov.uk
Subject: Final Consultation response to City of York Local Plan re Site 39 Beckside/Church Lane Elvington.

Part A personal details

Mrs.Eileen Roberts [REDACTED]
[REDACTED]
[REDACTED]

Part B My Representation

I write regarding local plan publication draft and sustainability appraisal/strategic environmental assessment.

I do not consider the document is legally compliant and does not comply with the duty to cooperate on the grounds that a) it reverses a previous decision by The Planning Inspectorate that Site 39 serves green belt purposes.

b)I am not aware that York Council has discussed these plans with the local residents and is not taking in to account the overwhelming wishes of the local residents.

Ido not consider the document is sound on the grounds that it is not justified or consistent with national policy.It does not show good judgement re Site 39.There is poor access to this site and this area would become overdeveloped.However Site 26 Dauby Lane is a better site for access,this area would not be overdeveloped and is the preferred option by the local residents who attended parish council meetings.It would not have a high density of population.

It is not consistnt with national policy it is not sustainable in accordance with national policies.

Part C

I wish to participate at the oral part of the examination because for those of us who are not professionally qualified town planners oral representation is important.From reading some of the forms there is far too great an expectation of expertise on non professionals in this process.

signed [REDACTED] date 28 March 2018

From: David Mayston [REDACTED]
Sent: 28 March 2018 11:44
To: localplan@york.gov.uk
Subject: Consultation
Attachments: DJMComments_form_FINAL (1).docx

Please find attached my completed consultation form for the latest version of the proposed Local Plan.

Dr David Mayston

City of York Local Plan Publication Draft 2018 Consultation response form 21 February – 4 April 2018

OFFICE USE ONLY:

ID reference:

This form has three parts: **Part A** Personal Details, **Part B** Your Representation and **Part C** How we will use your Personal Information

To help present your comments in the best way for the inspector to consider them, the Planning Inspectorate has produced this standard comment form for you to complete and return. We ask that you use this form because it structures your response in the way in which the inspector will consider comments at the Public Examination. Using the form to submit your comments also means that you can register your interest in speaking at the Examination.

Please read the guidance notes and Part C carefully before completing the form. Please ensure you sign the form on page 6.

Please fill in a separate part B for each issue/representation you wish to make. Any additional sheets must be clearly referenced. If hand writing, please write clearly in blue or black ink.

Part A - Personal Details

Please complete in full; in order for the Inspector to consider your representations you must provide your name and postal address).

1. Personal Details		2. Agent's Details (if applicable)
Title	Dr	
First Name	David	
Last Name	Mayston	
Organisation (where relevant)		
Representing (if applicable)		
Address – line 1		
Address – line 2		
Address – line 3		
Address – line 4		
Address – line 5		
Postcode		
E-mail Address		
Telephone Number		

Guidance note

Where do I send my completed form?

Please return the completed form **by Wednesday 4 April 2018, up until midnight**

- To: FREEPOST RTEG-TYYU-KLTZ Local Plan, City of York Council, West Offices, Station Rise, York, YO1 6GA
- By email to: localplan@york.gov.uk

Electronic copies of this form are available to download at www.york.gov.uk/localplan or you can complete the form online at www.york.gov.uk/consultations

What can I make comments on?

You can make representations on any part of the publication draft of the Local Plan, Policies Map or Sustainability Appraisal. Comments may also refer to the justification and evidence in the supporting technical papers. The purpose of this consultation is for you to say whether you think the plan is legally compliant and 'sound'. These terms are explained as you go through the response form.

Do I have to use the response form?

Yes please. This is because further changes to the plan will be a matter for a Planning Inspector to consider and providing responses in a consistent format is important. For this reason, all responses should use this consultation response form. Please be as succinct as possible and **use one response form for each representation you wish to make** (topic or issue you wish to comment on). You can attach additional evidence to support your case, but please ensure that it is clearly referenced. It will be a matter for the Inspector to invite additional evidence in advance of, or during the Public Examination.

Additional response forms can be collected from the main council offices and the city's libraries, or you can download it from the council's website at www.york.gov.uk/localplan or use our online consultation form via <http://www.york.gov.uk/consultations>. However you choose to respond, in order for the inspector to consider your comments you must provide your name and address with your response.

Can I submit representations on behalf of a group or neighbourhood?

Yes, you can. Where there are groups who share a common view on how they wish to see the plan modified, it would be very helpful for that group to send a single representation that represents that view, rather than for a large number of individuals to send in separate representations that repeat the same points. In such cases the group should indicate how many people it is representing; a list of their names and addresses, and how the representation has been agreed e.g. via a parish council/action group meeting; signing a petition etc. The representations should still be submitted on this standard form with the information attached. Please indicate in Part A of this form the group you are representing.

Do I need to attend the Public Examination?

You can indicate whether at this stage you consider there is a need to present your representation at a hearing session during the Public Examination. You should note that Inspectors do not give any more weight to issues presented in person than written evidence. The Inspector will use his/her own discretion in regard to who participates at the Public Examination. All examination hearings will be open to the public.

Where can I view the Local Plan Publication Consultation documents?

You can view the Local Plan Publication draft Consultation documents

- Online via our website www.york.gov.uk/localplan.
- City of York Council West Offices
- In all libraries in York.

Part B -Your Representation

(Please use a separate Part B form for **each** issue to you want to raise)



3. To which document does your response relate? (Please tick one)

City of York Local Plan Publication Draft

Policies Map

Sustainability Appraisal/Strategic Environmental Assessment

What does 'legally compliant' mean?

Legally compliant means asking whether or not the plan has been prepared in line with: statutory regulations; the duty to cooperate; and legal procedural requirements such as the Sustainability Appraisal (SA). Details of how the plan has been prepared are set out in the published Consultation Statements and the Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan

4. (1) Do you consider the document is Legally compliant?

Yes

4.(2) Do you consider that the document complies with the Duty to Cooperate?

Yes

4.(3) Please justify your answer to question 4.(1) and 4.(2)

The City of York Council has devoted a great deal of effort to make the document legally compliant and to comply with the Duty to Cooperate.

What does 'Sound' mean?

Soundness may be considered in this context within its ordinary meaning of 'fit for purpose' and 'showing good judgement'. The Inspector will use the Public Examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness' listed below. The scope of the Public Examination will be set by the key issues raised by responses received and other matters the Inspector considers to be relevant.

What makes a Local Plan "sound"?

Positively prepared - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.

Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities

Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework

5.(1) Do you consider the document is Sound?

Yes

If yes, go to question 5.(4). If no, go to question 5.(2).

5.(2) Please tell us which tests of soundness the document fails to meet: (tick all that apply)

Positively prepared Justified
 Effective Consistent with national policy

5.(3) If you are making comments on whether the document is unsound, to which part of the document do they relate?

(Complete any that apply)

Paragraph no.

Policy Ref.

Site Ref.

5.(4) Please give reasons for your answers to questions 5.(1) and 5.(2)

You can attach additional information but please make sure it is securely attached and clearly referenced to this question.

The proposals contain significant conditions relating to the possible approval of development schemes. These conditions are an essential part of the proposals. Thus in relation to the major SS13: Land West of Elvington Lane development proposal, the satisfactory provision of vehicle access from the development to and from the A64 road, rather than from Elvington Lane, is a key condition for the approval of the scheme to go ahead, so that proposed developers must ensure that this condition is fulfilled, including making adequate financial contributions to achieve this condition. A similar condition for adequate infrastructural improvements is an essential part of the proposal for 76 dwellings in H31: Eastfield Lane, Dunnington, where there is at present a single track road on to the site and dangerous junctions of Eastfield Lane with Church Balk in one direction and with the A166 Stamford Bridge road in the other direction. The junction between Church Balk and the A166 is also a difficult one which will become more difficult with the additional traffic that will be generated by the new housing development. Again it is essential that adequate infrastructural improvements are made as part of the conditions for the development to proceed, with a need for developers to make adequate financial contributions to enable this to be achieved.

In order for the developments to be sustainable it is essential that their developers fulfil the conditions which are needed for adequate supporting infrastructure, as a key part of the proposals. This is particularly so in the context of the City of York, which has limited existing transport infrastructure, which will simply congest and become unsustainable if proposed improvements to meet the major additional demands posed by the new housing developments are not made as a key condition for the proposed developments.

6. (1) Please set out what change(s) you consider necessary to make the City of York Local Plan legally compliant or sound, having regard to the tests you have identified at question 5 where this relates to soundness.



You will need to say why this modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further representations will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

The City of York Local Plan should further emphasise that the conditions imposed for adequate infrastructure improvements and adequate financial contributions by developers are essential parts of the Local Plan.

7.(1). If your representation is seeking a change at question 6.(1), do you consider it necessary to participate at the hearing sessions of the Public Examination? (tick one box only)

No, I do not wish to participate at the hearing session at the examination. I would like my representation to be dealt with by written representation

If you have selected **No**, your representation(s) will still be considered by the independent Planning Inspector by way of written representations.

7.(2). If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please note: the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the hearing session of the examination.

Part C - How we will use your Personal Information

We will only use the personal information you give us on this form in accordance with the Data Protection Act 1998 (and any successor legislation) to inform the Local Plan process.

We only ask for what personal information is necessary for the purposes set out in this privacy notice and we will protect it and make sure nobody has access to it who shouldn't.

City of York Council does not pass personal data to third parties for marketing, sales or any other commercial purposes without your prior explicit consent.

As part of the Local Plan process copies of representations made in response to this consultation including your personal information must be made available for public inspection and published on the Council's website; they cannot be treated as confidential or anonymous and will be available for inspection in full. Copies of all representations must also be provided to the Planning Inspectorate as part of the submission of the City of York Local Plan.¹

Storing your information and contacting you in the future:

The information you provide on this form will be stored on a database used solely in connection with the Local Plan. If you have previously responded as part of the consultation on the York Local Plan (previously Local Development Framework prior to 2012), your details are already held on the database. This information is required to be stored by the Council as it must be submitted to the Planning Inspectorate to comply with the law. The Council must also notify those on the database at certain stages of plan preparation under the Regulations.²

Retention of Information

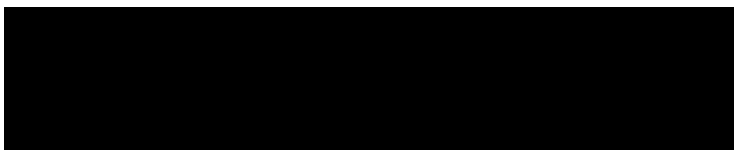
We will only keep your personal information for as long as is necessary and when we no longer have a need to keep it, we will delete or destroy it securely. The Local Planning Authority is required to retain your information during the plan making process. The information you submit relating to the Local Plan can only cease to be made available 6 weeks after the date of the formal adoption of the Plan.³

Your rights

To find out about your rights under the Data Protection Act 1998 (and any successor legislation), you can go to the Information Commissioners Office (ICO) <https://ico.org.uk/for-the-public/>

If you have any questions about this Privacy Notice, your rights, or if you have a complaint about how your information has been used or how long we have kept it for, please contact the Customer Feedback Team at haveyoursay@york.gov.uk or on [01904 554145](tel:01904554145)

Signat



Date: 28th March 2018

¹ Section 20(3) Planning & Compulsory Purchase Act 2004 Regulations 17,22, 35 & 36 Town and Country Planning (Local Planning) England) Regulations 2012

² Regulation 19 Town and Country Planning (Local Planning) England) Regulations 2012

³ Regulation 35 Town and Country Planning (Local Planning) England) Regulations 2012

From: jadu-www@rsvm121.servers.jadu.net on behalf of webadmin@york.gov.uk
Sent: 28 March 2018 12:09
To: localplan@york.gov.uk
Subject: A new Local Plan Publication Draft response form has been submitted

A new Local Plan Publication Draft response form has been submitted via the CYC website.

Please record this information in your system and take action as appropriate.

NOTE: This information is only retained within the CYC CMS for 3 months, for quality assurance purposes - it is then deleted and destroyed.

Submission details

Web ref: 104794

Date submitted: 28/03/2018

Time submitted: 12:09:13

Thank you for submitting your Local Plan Publication Draft response form (ref: 104794, on 28/03/2018 at 12:09:13) to City of York Council.

The following is a copy of the details you included.

About your comments

Whose views on the Local Plan publication draft do your comments represent? Own comments

About you/the organisation/individual/group you're representing

Please complete in full; in order for the Inspector to consider your representations names and postal addresses must be provided.

Title: Professor

Forename: Allan

Surname: Ashworth

Name of the organisation/individual/group you're representing:

Address (building name/number and street): [REDACTED]

Address (area): [REDACTED]

Address (town): [REDACTED]

Postcode: [REDACTED]

Email address: [REDACTED]

Telephone number: [REDACTED]

What are your comments about

You may complete this form more than once - you should **submit a separate form for each issue to you want to raise** relating to the Local Plan 'publication draft', the Policies Map or the Sustainability Appraisal/Strategic Environmental Assessment.

Which document do your comments relate to? Local Plan Publication Draft

Legal compliance of the document

'Legally compliant' means asking whether or not the plan has been prepared in line with statutory regulations, the duty to cooperate, and legal procedural requirements such as the Sustainability Appraisal. Details of how the plan has been prepared are set out in the Consultation Statements and Duty to Cooperate Statement, which can be found at www.york.gov.uk/localplan.

Do you consider the document is legally compliant? Yes, I consider the document to be legally compliant

Do you consider the document to comply with the Duty to Cooperate? YesCompliestoDuty

Please justify why you do/do not consider the document to be legally compliant or in compliance with the Duty to Cooperate:

I believe that the document fully complies with the good practices that are expected and required.

Whether the document is/is not 'sound'

Deciding whether you consider the document to be 'sound' means considering whether it's 'fit for purpose' and 'showing good judgement'. The inspector will use the public examination process to explore and investigate the plan against the National Planning Policy Framework's four 'tests of soundness':

- **positively prepared** - prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from

neighbouring authorities where it is reasonable to do so, and consistent with achieving sustainable development

- **justified** –the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence
- **effective** – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- **consistent with national policy** – enables the delivery of sustainable development in accordance with the policies in the framework

Do you consider the document to be 'sound'? Yes, I consider the document to be sound

Please indicate which of four 'tests of soundness' relate to your answer:

[Response - SoundnessYES]

Please give reasons for your answer(s):

It not only considers future projections for the City of York but also takes into account home owners and business requirements.

Which part of the document do your comments on 'soundness' relate to? Please provide a paragraph number, a policy reference or a site reference: Askam Bog, for example.

Necessary changes

You can suggest any change(s) you consider necessary to make the Local Plan legally compliant or sound - you'll need to say why the modification will make the plan legally compliant or sound. It will be helpful if you could put forward your suggested revised wording of any policy or text.

Your suggestion should cover succinctly all the information, evidence and supporting information necessary to support/justify it. There will not normally be a subsequent opportunity to make further representations; these would only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

I suggest the following change(s) to make the Local Plan legally compliant or 'sound':

I do not wish to make any changes.

If you're seeking a change to the Local Plan, do you want to participate at the hearing sessions of the Public Examination? No hearing sessions

If you select 'No', your suggestions will still be considered by the independent planning inspector by way of written representations.

If you wish to participate at the hearing sessions, please state why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt, to hear those who want to participate at the hearing sessions.

From: [REDACTED]
Sent: 06 March 2018 09:47
To: localplan@york.gov.uk
Subject: Re: re new housing around York

Dear Local Plan @ York,

Please find some comments above. I have decided not to enter the consultation as I am not a York Resident anymore however I have been in the past for a few years and have worked there too. I do not agree to any more residential building around the York perimeter or outer areas of York only skilled infill and regeneration. Building work should be directed to areas that are not of outstanding beauty nor that will add burden to and spoil a unique national heritage site. Are you going to let this government do this?

Yours Sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]



Virus-free. www.avast.com

On Thu, Mar 1, 2018 at 11:24 AM, localplan@york.gov.uk <localplan@york.gov.uk> wrote:

Hi [REDACTED],

The Council is in the process of producing a revised Local Plan for York, which sets out the spatial vision for the city for the next 15-20 years through planning policies and site allocations for housing and employment. It will also be setting the detailed Green Belt around the city for the first time.

The plan has been in preparation since 2012 and we have already undertaken a number of consultation stages. The latest consultation is one of the final stages of plan preparation and York residents are being urged to take the opportunity to make final comments on the city's Local Plan 'Publication draft'. Comments made during this consultation will go direct to the government, to be considered by a Planning Inspector at an Examination in Public. The council is stressing that this consultation is different because the Examination will only consider certain issues about the plan, and has produced guidance to help residents make comments which the Inspector can use.

We have distributed to every household in the city a special booklet where you can find out how to make your comments and what information the government's Planning Inspector will be able to consider. Please let us know if you have not received this. You can also view this online via our webpage: www.york.gov.uk/localplan.

You can see all information, how to respond and view the full Publication Draft and supporting documents:

- Online at: www.york.gov.uk/locaplan
- In any York library or at the council's West Offices

All responses must be made by midnight on Wednesday 4th April 2018 to ensure they can be considered by the Government.

I understand from your original email that you are particularly interested in housing development across the city. On our webpage (linked above) you can view an interactive map showing where the different development sites are. You can also view a more detailed Policies Map under the document downloads showing the south, north and city centre sections of the authority.

All of the details for housing sites with regards to numbers of dwellings and potential timeframe for coming forward are detailed in the [Local Plan 'Publication draft' 2018 document](#) in Section 3: Spatial Strategy for the larger Strategic developments ('ST' referenced sites which are over 5 hectares) and in Section 5, Policy H1: Housing Allocations. Each of the larger allocations ('ST' sites) have individual policies set out in Section 3 with bespoke criteria for their development to help maximise their potential for creating sustainable communities.

I trust this information is useful to you but should you have any further queries, please don't hesitate to get in touch with a member of the Strategic Planning team via localplan@york.gov.uk or 01904 552255.

Kind regards

Alison

Alison Cooke | Development Officer
City of York Council | Planning and Environmental Management

Directorate of Economy and Place | West Offices | Station Rise | York | YO1 6GA

From: Curtis, Anne **On Behalf Of** planning.enquiries@york.gov.uk
Sent: 28 February 2018 16:00
To: [REDACTED]
Cc: 'local.plan@york.gov.uk'
Subject: RE: re new housing around York

Good afternoon

Thank you for your email. I am forwarding it to the team dealing with the new Local Plan which is out for consultation at the moment.

Regards

Anne Curtis

Support Officer

Development Management

[REDACTED]

City of York Council, West Offices, Station Rise, York YO1 6GA

From: [REDACTED]
Sent: 28 February 2018 15:02
To: planning.enquiries@york.gov.uk
Subject: re new housing around York

Dear York.gov.uk

I have heard that there are more housing estates planned for the outer ring road area of the city and am contacting to add my name to any petition or complaints service that might be running against further

housing estates / housing around York. This area is already burgeoning with housing and the ring road is at its capacity all of the time. The city is not large enough to manage any more residents and the public services will be stretched even further by thousands more residents. The idea of a garden city outside a historic city that is planned according to medieval ideas is incredible and I cant believe it is being accepted after so many years of tending and care by people who care about its existing design and planning that, moreover, is also recognised on a world wide stage for heritage and beauty status. Please can someone object to these ideas or please can my complaints be passed on? Real harm is being caused to a unique city of outstanding heritage status and there is not enough capacity for a rise in the population and traffic of this size. The beauty of the city as well as the wildlife will be truly threatened and spoilt irrecoverably.

Yours Sincerely

[Redacted signature]

[Redacted address]



Help protect the environment! - please don't print this email unless you really need to.

This communication is from City of York Council.

The information contained within, and in any attachment(s), is confidential and legally privileged. It is for the exclusive use of the intended recipient(s). If you are not the intended recipient(s), please note that any form of distribution, copying or use of this communication, or the information within, is strictly prohibited and may be unlawful. Equally, you must not disclose all, or part, of its contents to any other person.

If you have received this communication in error, please return it immediately to the sender, then delete and destroy any copies of it.

City of York Council disclaims any liability for action taken in reliance on the content of this communication.

City of York Council respects your privacy. For more information on how we use your personal data, please visit <http://www.york.gov.uk/privacy>

From: [REDACTED]
Sent: 16 March 2018 12:28
To: localplan@york.gov.uk
Subject: City of York Council Local Plan Response

Importance: High

Dear Sir/Madam

Please accept this response by email, as I am unable to fit it on the form available on the website.

The Parish Council (hereafter referred to as The Council) has considered the Mar 2018 consultation draft of the Local Plan and considers it both sound and legal. We wish to make the following comments:

General

- 1) The Council supports Policy DP1, referring to the development principles of the York sub area. We are pleased to see that Policy DP1 viii) has been amended to place the outer boundary of the Green Belt at “about” 6 miles from the city centre to conform with retained policy YH9 subsection Y1 of the partially revoked Yorkshire and Humberside Regional Spatial Strategy, in line with this Council’s suggestion. This will ensure that where the 6 mile Green Belt boundary passes through a settlement, there would be enough flexibility to include the whole settlement inside the Green Belt. The Council considers that a strong Green Belt is vital to preserve the historic feel of the city and prevent urban sprawl, leading the coalescence on the surrounding villages into the urban area.
- 2) In policy DP2 iii part 4, the Council asked to see the River Foss included in the rivers for which water quality should be maintained, and this has been done.
- 3) The Council strongly supports the Plan’s housing need assessment of 867 dwellings per annum, as expressed in policy SS.1. The most recent Sept 2017 assessment from The DCLG, which substantially upgraded the housing need figure to 1070 dwellings per annum, seems perverse in view of the likely effects of Brexit, which may well lead to a significant reduction in inward migration and a reduced housing need. We believe that the methodology used to provide this assessment needs close scrutiny to assess whether it is statistically valid, particularly with regard to the population figures incorporated in it, which were pre-Brexit estimates and not the most up-to-date figures available. The Council considers that the latest assessment of 1070 dwellings per annum is considerably excessive and, if implemented, would lead to excessive strain on the infrastructure of the city, leading to a drastic deterioration of the quality of life for those already resident in the City. There is also very considerable doubt as to whether the local building industry could achieve this higher target in any event, since housing completion figures have never remotely approached this level.

- 4) The Council welcomes the confirmation in Para 2.10 of the value of the surrounding villages, the green infrastructure and the primary function of York's Green Belt in preserving its setting and special character.
- 5) The Council welcomes the proposal in para 2.15 for a new railway station in the Haxby area, but considers that a "park and ride" station in open countryside on Towthorpe Rd between Haxby and Strensall would serve both communities better.
- 6) The Council supports the policies in paras 3.6-3.8 referring to the use of green wedges to prevent coalescence of settlements and protect the special character of York, and the protection of sensitive environmental sites as shown in Figs 3.1 and 3.2.
- 7) Policy H10 (Affordable Housing) is strongly supported as this could help to address the chronic lack of affordable housing in Strensall.
- 8) The Council is pleased to see that almost all of its recommendations which were submitted in the previous consultation have been acted on.

Comments specific to Strensall with Towthorpe Parish

- a) Whilst the Council regrets the Government's decision to close the Queen Elizabeth 2 Barracks and Towthorpe Lines, ending the long association of the Army with Strensall, it is acknowledged that, this decision having been made, the inclusion of the sites in the Local Plan is logical and policy SS19 is broadly supported.
- b) The Council supports the allocation of the Queen Elizabeth 2 Barracks (site ST 35) for housing and considers that the proposed figure of 500 dwellings is more acceptable than the 578 which had been informally mentioned previously. Reason: to protect the environment of Strensall Common SSSI/SAC. The Council would support development of this site as soon as possible after the Army vacates it to prevent the onset of dereliction.
However, the Council is concerned that the reduction from a proposed figure of 578 to 500 dwellings could reduce the funds available for the vital infrastructure works necessary to make the development acceptable.
- c) The Council welcomes the allocation of the Towthorpe Lines site (E18) for Business and Employment. Reason: to provide more local employment and to reduce the need to commute.
- d) The Council strongly supports the complete removal of sites H27 and H30 (as included in the further sites Consultation Document) from the Local Plan. Reason: to protect the Green Belt around the village as these sites fulfil significant Green Belt functions
- e) The Council supports the decision not to allocate site 892 (Land at Grange Farm Strensall Rd) in the Local Plan Reason: this site is in the Green Belt, would lead to coalescence between Strensall with Towthorpe and Earswick and would cause further danger and congestion at the Junction of Strensall Rd/Towthorpe Moor Lane/Towthorpe Rd
- f) The Council supports the decision not to allocate site 902 (Land south of Strensall) in the Local Plan Reason: this site is in the Green Belt and could have adverse effects on the ecology of Strensall Common SSSI/SAC

g) The Council supports the inclusion of site H59 for residential development and supports early development of the site. Reason: the land is largely formerly developed and derelict land which, if developed, could provide much needed low cost and affordable housing in Strensall.

h) The Council has serious concerns about the allocation of site ST9 (land North of Haxby). The Council still feels that this site should be either removed from the Local Plan or substantially reduced in size. Reason: sewage from the site will be treated at Walbutts sewage treatment plant, the capacity of which is unlikely to be sufficient to cope with the extra flows from site ST9 and sites ST35, E18 and H59. Traffic from site ST9 may also use Strensall to avoid congestion in Haxby, exacerbating existing traffic problems in Strensall village.

i) The Council welcomes the decision to confirm the removal of all safeguarded land from the Local Plan, particularly site 902 (formerly SF1) and site SF14 (land east of Strensall Rd Earswick). Reason: to protect the Green Belt; to protect the amenity of Strensall Common SAC/SSSI; to remove the prospect of severe traffic congestion between Strensall and the A1237; to allow City of York Council more flexibility to respond to changes over the next 20 years.

With respect to the above sites, the council would make the following site specific comments:

Queen Elizabeth 2 Barracks

Policy SS19 and the explanations 3.77 and 3.83 are supported now that consideration to the use of Towthorpe Moor Lane as a principal exit route has been identified and the need to improve the Strensall Rd/Towthorpe Moor Lane junction. There is also some concern that clause ix) does not fully address the issues concerning foul sewage and the obsolescence of the existing Severn Trent facility. The Council is concerned that clause xiv) does not specifically address the need to address potential issues at the A64/Towthorpe Moor Lane junction, though these may be addressed by the proposed dualling of the A64 should it proceed.

a) The Council welcomes the high proportion of public open space on the site. Reason: to protect the current open feel of the site and provide much needed play/leisure areas for the village.

b) The Council welcomes the intention to reflect the military identity of the site in its development. The Council supports the intention to screen the existing buildings to see if any are worthy of designation and retention – Para 3.83. Reason: to preserve the military heritage of the site.

c) The Council considers that some buildings on the site may be suitable for conversion to a care home or a hotel, facilities for which there is a lack of provision in Strensall.

d) The Council welcomes the intention to protect as many trees on the site as possible and supports SS19vii.

e) The Council welcomes the intention to fully protect Strensall Common SSSI/SAC. SS19 Paras i-iii are critically important and are supported by the Council. No development should be started until a full Ecological Impact

Assessment has been carried out and its conclusions incorporated in any planning consent. Reason: to protect the amenity of Strensall Common SAC/SSSI.

f) The Council supports the suggestion that a completely new drainage system be designed.

g) The Council welcomes the intention to allocate land for a new school and for some retail on the site. The Council believes that an existing building may be suitable for conversion to a school. SS19 clauses xi/xii are supported. Reason: to address the shortfall of school places in Strensall and reduce traffic journeys out of the site.

h) The Council agrees that existing cycle links to the city are unsafe. The Council requests that a dedicated off road cycle track be installed along Strensall Rd using developer contributions. Clause xv) is supported. Reason: to provide a safer route for cyclists to use, thus enhancing the sustainability of the site and providing a valued amenity for the existing residents of Strensall.

i) The Council considers that a major upgrading of the Towthorpe Moor Lane/Strensall Rd/Towthorpe Rd junction will be needed. Clause xv) is supported. Reason: to prevent congestion and danger at the junction.

j) The Council considers that a major junction improvement at the A64/Towthorpe Moor Lane junction is absolutely essential to the success of this development. Reason: to allow traffic from Strensall to access the A64 quickly and safely without using Strensall Rd and the A1237 and to reduce the risk of further serious accidents at this notorious junction.

k) The Council agrees that no access to the site should be by the northern section of Scott Moncrieff Rd. Reason: to protect the amenity of Strensall Common SSSI/SAC

l) The Council considers that the Southern part of Scott Moncrieff Rd, should be developed as one of the major accesses to the site and suggest that any minor harm to this least sensitive area of Strensall Common will be offset by a major reduction of traffic on Strensall Rd. However, a weight /access only restriction may be required to prevent commercial vehicular use. Reason: to reduce traffic flows on Strensall Rd and to provide a more rapid access to Towthorpe Moor Lane and the A64.

m) An access will be required to The Army Cadets Building at the east of the site, which is in separate ownership. The Council strongly opposes this access being taken off the northern part of Scott Moncrieff Rd. Reason: to protect the amenity of Strensall Common SSSI/SAC

n) Before any development of this site is approved, it will be necessary for Parliament to amend or repeal the Strensall Common Act 1884. It may also be necessary to carry out a detailed survey of the site to ensure that the development limit of 250 acres set in that Act is not exceeded, unless the Act is amended to alter this.

o) The future of the ranges is currently uncertain. If they are retained, it is highly likely that the Army will need to retain some accommodation on the site. This would reduce the developable area and the number of dwellings. There would also be security considerations to be addressed if munitions are to be stored on the site.

These sites lie within the broader area of the Queen Elizabeth 2 Barracks site, but outside the secure area. The Council considers that these could be developed before the final closure of the Barracks. The Council is pleased to see allocation of site H59 in years 1-5 of the plan. Reason: to provide much needed low cost/social housing in Strensall at the earliest possible date.

Towthorpe Lines

Comments as above, where applicable.

Site H27

Our comments apply to the entirety of the site and would apply equally to any attempt to allocate or develop any part of it.

Site H30

Our comments apply to the entirety of the site and would apply equally to any attempt to allocate or develop any part of it.

NOTE: This submission should not be inferred as implying support or otherwise for any site or policy not specifically mentioned here.

Kind Regards

Fiona Hill
Parish Clerk
Strensall with Towthorpe PC

[Redacted]

From: Tim Bright [Redacted]
Sent: 16 March 2018 16:35
To: localplan@york.gov.uk
Subject: Support Local Plan

Dear Sir's,

I am writing in response to the current consultation following publication of Yorks Draft Local Plan.

I fully support the Local Plan.

The plan clearly follows the required NPPF and Government guidelines in meeting projected housing needs.

I support the proposed figure of 867 new homes per year as the maximum the City can take and that the Council should be careful that even with this figure they should avoid overloading Yorks already creaking infrastructure and road network, in particular with any development that may take place adjacent to or close to Yorks A1237 Ring Road.

I fully support steps taken to protect and preserve the greenbelt around York and avoid any housing developments in this area and any urban creep into York's outlying villages.

Yours faithfully,

T.J Bright
[Redacted]
[Redacted]
[Redacted]
[Redacted]